English Translations of

Majmoo'al-Fatawa of late Scholar Ibn Bazz (R)

Second Edition

By:

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Chapter on Miqats

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In the Name of Allah, the Most Gracious, the Most Merciful

1- Temporal and spatial Miqats of Hajj

Q: Your Eminence, what is the meaning of Allah's saying: ﴾The Hajj (pilgrimage) is (in) the well-known (lunar year) months (i.e. the 10th month, the 11th month and the first ten days of the 12th month of the Islâmic calendar, i.e. two months and ten days).﴿ **May Allah reward you with the best!**

A: Allah (may He be Praised) says: ﴾The Hajj (pilgrimage) is (in) the well-known (lunar year) months (i.e. the 10th month, the 11th month and the first ten days of the 12th month of the Islâmic calendar, i.e. two months and ten days). So whosoever intends to perform Hajj therein (by assuming Ihrâm), then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj. And whatever good you do, (be sure) Allâh knows it. And take a provision (with you) for the journey, but the best provision is At-Taqwa (piety, righteousness). So fear Me, O men of understanding!﴿ The Ayah means that Hajj is to be assumed during certain months: Shawwal, Dhul-Qa`dah and the first ten days of Dhul-Hijjah. These are the months meant in the Ayah and this is what is meant by the Ayah. Allah mentioned them in the plural form since the Arabs had a rule that if they add some days of the third month to the other two months, they would mention them in the plural form.

As for Allah's saying: ﴾So whosoever intends to perform Hajj therein (by assuming Ihrâm)﴿ means: whoever obliges himself to do Hajj by assuming Ihram for performing Hajj, then it is forbidden for him to practice sexual intercourse with his wife

or to commit sin or engage in dispute. After assuming Ihram, it is not permissible for him to have sexual intercourse with his wife or exchange with her any word or deed that may lead to practicing sexual intercourse with her. Fusuq i.e. committing sins, refers to all acts of disobedience including ungratefulness to one's parents, severing the ties of kinship, dealing in usury, consuming the property of orphans, gossiping, backbiting, and all other types of sin.

As for "dispute," it refers to arguing and debating without a right. It is not permissible for a person who has assumed Ihram to perform Hajj or `Umrah or both to dispute either with or without a right. He should explain what is right with wisdom and in a good way. If debating proves to be fruitless and takes too long, he should stop. Yet what is right should still be made clear through wisdom and good instruction, and arguing in a way that is best. This type is not forbidden; rather it is prescribed through Allah's saying: ﴾Invite (mankind, O Muhammad صلى الله عليه و سلم) to the Way of your Lord (i.e. Islâm) with wisdom (i.e. with the Divine Revelation and the Qur'ân) and fair preaching, and argue with them in a way that is better.﴿

The ruling on one who goes past the Miqat without intending Ihram

Q: What is the ruling if someone passes the Miqat (site for entering the ritual state for Hajj and `Umrah) without assuming Ihram (ritual state for Hajj and `Umrah), whether their visit to Makkah is intended for Hajj or `Umrah (lesser pilgrimage) or for any other purpose?

A: Whoever passes the Miqat for Hajj or `Umrah and does not assume the state of Ihram, will have to return to the Miqat where they can intend Ihram for Hajj or `Umrah. This is based on the command of the Messenger of Allah (peace be upon him) to do that. He (peace be upon him) said: (The people of Madinah assume Ihram from Dhu Al-Hulayfah, the people of Al-Sham (the Levant) from Al-Juhfah, the people of Najd from Qarn, and the people of Yemen from Yalamlam.) This is what has been narrated in the authentic Hadith. Ibn `Abbas is reported to have said: (The Prophet (peace be upon him) defined the Miqat of the people of Madinah as Dhul-Hulayfah; and that of the people Al-Sham (The Levant) as Al-Juhfah; and that of the people of Najd as Qarn Al-Manazil; and that of the people of Yemen as Yalamlam. Then he said: "And these Miqats are for the people at those very places, as well as for those who come through those places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter Ihram from the place where he starts off.") If a person's intention is to perform Hajj or `Umrah, he has to enter Ihram from the Miqat that falls in their direction. If he comes from the direction of Madinah, he can assume Ihram from Dhu Al-Hulayfah. If he takes the route of Al-Sham (the Levant), or Egypt or Morocco, he can assume Ihram from Al-Juhfah (now known as Rabigh). If he takes the route of Yemen, they can assume Ihram from Yalamlam. If he takes the route of Najd or Al-Ta'if, he can assume Ihram from Qarn Valley which is also known by the name Qarn Al-Manazil or Al-Sayl. Some people call it Muhrim Valley. It is these particular points where a person can intend to perform Hajj or `Umrah or both at one time. If a person still has plenty of time before

performing Hajj, it will be preferable that he intends to perform `Umrah by making Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah), clip his hair and make Tahalul (removal of the ritual state for `Umrah). He can enter the state of Ihram for Hajj at its appointed time. He is only recommended to enter the state of Ihram for `Umrah, if he happens to pass the Miqat during the months in which Hajj is not prescribed like Ramadan or Sha`ban. If he visits Makkah for such purposes as conducting buying or selling transactions or visiting relatives and friends or for any other purpose, he will not be required to assume Ihram. This is according to the most correct view held by scholars. Therefore, he may enter Makkah without intending to enter the state of Ihram. This is the preponderant of the two opinions held by scholars. However, it is preferable for him to take the opportunity of visiting Makkah to perform `Umrah.

Q: What is the ruling on passing the Miqat in Hajj or 'Umrah?

A: It is not permissible for the Muslim who intends to perform Hajj or `Umrah to pass the Miqat (site for entering the ritual state for Hajj and `Umrah) unless they first enter into the state of Ihram (ritual state for Hajj and `Umrah). Should they pass it without entering into such a state, they would have to return to it and intend Ihram. If they do not return to Miqat and intend Ihram from another place or a place near to Makkah, they will be obliged to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) according to the view held by many scholars. This Dam has to be sacrificed in Makkah and distributed to the poor, because they violated an obligation of Hajj which is to enter into a state of Ihram at the prescribed Miqat. In case their intention is not to perform Hajj or `Umrah at the time of passing by the Miqat, like the case of one who visits Makkah to meet with their relatives, or friends or to conduct business transactions, nothing will be required of them.

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The reason is that they do not intend to perform Hajj or `Umrah. It is not permissible for one to pass the Miqat without intending to perform `Umrah in case they have never performed it before. In case the intention to perform Hajj or `Umrah starts after passing the Miqat and before reaching Haram (all areas within the Sacred Sanctuary of Makkah), one will have to enter into the state of Ihram at the place where they changed their intention. This is based on the Hadith narrated in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of Ibn `Abbas (may Allah be pleased with them both) who said: ﴿The Prophet (peace be upon him) defined the Miqat of the people of Madinah as Dhul-Hulayfah; that of the people Al-Sham (the Levant) as Al-Juhfah; that of the people Najd as Qarn Al-Manazil; and that of the people Yemen as Yalamlam. Then he said: "And these Miqats are for the people at those very places, as well as for those who come through those places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter Ihram from the place where he starts off. Those who do not pass by these Miqats have to enter Ihram from the place where they are even the people of Makkah should enter into the state of Ihram form Makkah. ﴾ This Hadith is indicative of all what we have mentioned earlier. In case the intention to perform Hajj or `Umrah is made after passing the Miqat and reaching Haram, two scenarios will apply: if the intention is to perform Hajj, then one may enter into the state of Ihram at Haram or out side it. This is because the Prophet (peace be upon him) said in the above Hadith: ﴿Those who do not pass by these Miqats have to enter Ihram from the place where they are and even the people of Makkah should enter into the state of Ihram form Makkah ﴾

In case one wants to do `Umrah, they have to go to Al-Hil )all areas outside the Sacred Sanctuary of Makkah( like Al-Tan`im or Al-Ji`ranah or other place. There they can enter into the state of Ihram. This is based on the fact that the Prophet (peace be upon him)

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ordered `Aisha (may Allah be pleased with her) to go to Tan`im in order to enter into the state of Ihram for `Umrah. He also asked her brother `Abdul-Rahman to accompany her. Allah alone grants success.

The ruling on passing the Miqat more than once without assuming Ihram

Q: Brother E.`A.J. from Riyadh, Kingdom of Saudi Arabia, asks: What should the person, who passed the Miqat (site for entering the ritual state for Hajj and `Umrah) several times and entered into the state of Ihram (ritual state for Hajj and `Umrah) from Jeddah after passing beyond the Miqat, do? Would it be sufficient if he only offers a sacrificial animal? Kindly, advise us in this regard. May Allah reward you the best.

A: He is required to offer a sacrificial animal for each time he passed the Miqat without entering into the state of Ihram for Hajj or `Umrah. The sacrificial animal has to be slaughtered in Makkah and its meat should be distributed to the poor. One seventh of a she-camel or a cow will be sufficient. This person should make Tawbah (repentance) to Allah (may He be Praised) as it is not permissible for the Muslim to pass the Miqat without entering into the state of Ihram for Hajj or `Umrah. This is based on the Hadith of the Prophet (peace be upon him) in which he defined different Miqats for its people. The Prophet (peace be upon him) said: ﴿And these Miqats are for the people at those very places, as well as for those who come through those places with the intention of performing Hajj and 'Umrah;

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﴾ Ibn `Abbas (may Allah be pleased with them both) said: ﴿"If anyone misses or forgets to perform any ritual (during Hajj), he should slaughter an animal".﴾ May Allah help us all do that which is loving and pleasing to Him.

4- One who travels to Makkah for business or visiting their relatives is not required to assume Ihram

Q: What is the ruling on the person who arrives in Makkah without having the intention to perform `Umrah?

A: A person who travels to Makkah without intending to perform Hajj or `Umrah (lesser pilgrimage) is not required to enter into the state of Ihram (ritual state for Hajj and `Umrah) for Hajj or `Umrah and is therefore not required to make Tawaf (circumambulation around the Ka`bah) or Sa`y (going between Safa and Marwah during Hajj and `Umrah) or Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah). This case applies to those who travel to Makkah for trade or for visiting their relatives. This is based on the Hadith in which the Prophet (peace be upon him) defined different Miqats (site for entering the ritual state for Hajj and `Umrah) for the people of Madinah, Al-Sham (the Levant), Najd and Yemen. The Prophet (peace be upon him) said: ﴾And these Mawaqit are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah﴿ This Hadith is narrated by Al-Bukhari and Muslim on the authority of Ibn `Abbas (may Allah be pleased

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with them both). This indicates that nothing is required of the person who passes these Miqats without intending to perform Hajj or `Umrah. However, it is better that he intends to perform `Umrah if possible. This is because the Prophet (peace be upon him) is reported to have said: ﴾(The performance of) 'Umrah is an expiation for the sins committed (between it and the previous one). And the reward of Hajj Mabrur (the one accepted by Allah) is nothing except Paradise.﴿ This is regarding the person who has already performed `Umrah. As for the person who has not performed it yet, he should haste to perform `Umrah, if he is capable, like the case with Hajj. May Allah grant us success!

Ruling on frequent traveling to Al-Ta'if and Jeddah for business without observing Ihram for those intending to offer Hajj

Q: An employee decided to offer Hajj (Pilgrimage) and had some business in Al-Ta'if for which he goes frequently to Al-Ta'if and Jeddah without observing Ihram (ritual state for Hajj and `Umrah). Is doing so impermissible?

A: There is no harm in doing so, for he traveled to Al-Ta'if and Jaddah without the intention of performing Hajj or `Umrah (Lesser Pilgrimage) but to do his work. Then, when he is sure that it is the last time for him to visit Al-Ta'if before Hajj, he should observe Ihram from the Miqat (sites for entering Ihram for Hajj and `Umrah). However, if he is not sure of that, and the time of Hajj comes while he is in Jeddah, he should observe Ihram from

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Jeddah and there is no blame on him for he takes the ruling of those who come to Jeddah in order to do some work and have no intention to offer Hajj or `Umrah when passing by the Miqat.

The ruling on the person who intends to perform `Umrah on behalf of his father and then performs his own `Umrah before reaching the Miqat

Q: Brother S.`A.S. from Zhahran, Kingdom of Saudi Arabia, asks: I live in Saudi Arabia and want to perform my own Ramadan `Umrah (lesser pilgrimage) and another one on behalf of my deceased father. Is it permissible for me to intend to perform `Umrah on behalf of my father when I reach the Miqat (site for entering the ritual state for Hajj and `Umrah), then after finishing the rituals of `Umrah, I intend to perform my own `Umrah by entering into the state of Ihram from the place where I reside in Makkah or Jeddah? Or should I return to the prescribed Miqat again?

A: If you are living outside the boundaries of the Miqats and want to perform Hajj or `Umrah of your own or on behalf of a deceased person or an old person who is incapable of performing them due to old age or suffering from a chronic disease, you will be required to enter into the state of Ihram (ritual state for Hajj and `Umrah) at the prescribed Miqat, which you pass by on your journey to perform Hajj or `Umrah. Once you finish the rituals of Hajj or `Umrah, you can perform your own `Umrah beginning from any place of Al-Hil (all areas outside the Sacred Sanctuary of Makkah) like Al-Tan`im, Al-Ji`ranah or other places. You are not required to return to the Miqat because `Aishah (may Allah be pleased with her)

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entered into the state of Ihram for `Umrah at the Miqat in Madinah with the Prophet (peace be upon him) in the Farewell Hajj. When she concluded the rituals of Hajj and `Umrah, she asked the Prophet's permission to perform another `Umrah. The Prophet (peace be upon him) ordered her brother `Abdul-Rahman to take her to Al-Tan`im. The Prophet (peace be upon him) did not order her to return to the Miqat. When she started to menstruate, the Prophet (peace be upon him) ordered her to combine Hajj and `Umrah simultaneously before she started to perform the rituals of `Umrah.

If you are living within the boundaries of the Miqats like Jeddah and Bahrah, it will suffice you to enter into the state of Ihram for `Umrah or Hajj from your home and you are not required to go to the Miqat. This is because when the Prophet (peace be upon him) defined the Miqats for Muslims, he said: ﴾And these Mawaqit are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah﴿ Then, the Prophet (peace be upon him) said: ﴾And whoever is living within these boundaries can enter into the state of Ihram from the place where he starts off, even the people of Makkah can enter into the state of Ihram from Makkah. ﴿ (Agreed upon by Al-Bukhari and Muslim) from the Hadith narrated by Ibn `Abbas (may Allah be pleased with them both).

The above-mentioned Hadith of `Aishah (may Allah be pleased with her) points out that a person living inside the Haram (all areas within the Sacred Sanctuary of Makkah) should enter into the state of Ihram for `Umrah Al-Hil (all areas outside the Sacred Sanctuary of Makkah). Thus, he should go to Al-Hil to assume his Ihram for `Umrah. This is based on the fact

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that the Prophet (peace be upon him) ordered `Aishah to do so. Thus, the Hadith narrated by `Aishah qualifies the generality of the Hadith narrated by Ibn `Abbas in which the Prophet (peace be upon him) said: ﴾Even the people of Makkah can enter into the state of Ihram from Makkah. ﴿ This the view held by Jumhur (dominant majority of scholars, may Allah be merciful with them). May Allah grant us success!

7- Assuming the state of Ihram for those who reside inside the Miqat

Q: Whence can the residents of Mawaqit (sing. Miqat i.e. site for entering the ritual state for Hajj and `Umrah) enter into the state of Ihram?

A: Anyone who resides inside the Mawaqit can enter into the state of Ihram from their place like the people of Um Al-Salam and the people of Bahrah. They should enter into the state of Ihram from their places. Similarly, the people of Jeddah should assume Ihram from . Jeddah. Ibn `Abbas narrated that the Prophet (may Allah's Peace and Blessings be upon him) said: ﴾Whoever lives in a place other than that - [live withing the boundaries of Miqat] - should assume Ihram from his dwelling place.﴿ In another wording: ﴾They can assume Ihram from where they live even the people of Makkah should start their ritual from Makkah.﴿

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The ruling on someone who decides to perform Hajj or `Umrah after passing the Miqat

Q: What is the Islamic ruling on a person who travels from Riyadh to Makkah without having the intention to perform Hajj or `Umrah (lesser pilgrimage)? After arriving in Makkah, the person decided to perform Hajj by entering into the state of Ihram (ritual state for Hajj and `Umrah) for Qiran Hajj (combining Hajj and `Umrah simultaneously) at Jeddah. Does it suffice this person to enter into the state of Ihram at Jeddah, or is he required to go to a particular Miqat (site for entering the ritual state for Hajj and `Umrah)? Please give us your Fatwa. May Allah reward you!

A: A person who travels from Riyadh or any other place to Makkah without intending to perform Hajj or `Umrah, but for the purpose of trade or visiting some of their relatives and, after arriving in Makkah, decides to perform Hajj, is required to enter into the state of Ihram at the place where he is staying. If he is staying in Jeddah, he can enter into the state of Ihram there and if he is staying in Makkah, he can enter into the state of Ihram at Makkah. Accordingly, the person who has passed the Miqat without intending to perform Hajj or `Umrah and later decides to perform any of them can enter into the state of Ihram at the place where he is staying. This is because his Miqat, in this case, is the place where he intends to perform Hajj or `Umrah.

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This is based on the Hadith in which the Prophet (peace be upon him) defined the Miqats for people. The Prophet (peace be upon him) said: (And whoever is living within these boundaries can enter into the state of Ihram at the place where they are staying, even the people of Makkah can enter into the state of Ihram at Makkah.)

However, if they happen to be inside the Haram (all areas within the Sacred Sanctuary of Makkah) where they decide to perform `Umrah, it will not be permissible for them to enter into the state of Ihram there. Instead, they have to leave all the areas of the Haram until they reach such places as Al-Tan`im, Al-Ji`ranah or other places outside the Haram. This is because the Prophet (peace be upon him) ordered `Aishah to enter into the state of Ihram for `Umrah from outside the boundaries of the Haram. This happened in the Farwell Hajj when she wanted to perform `Umrah by entering into the state of Ihram at the Haram.

Q: I live in Riyadh. I went to Makkah at the beginning of Hajj season. I went there via Al-Sayl Al-Kabir route. I had only intended to visit my family, but later I decided to perform Hajj. I did not return to the Miqat (site for entering the ritual state for Hajj and `Umrah) to assume Ihram (ritual state for Hajj and `Umrah). Am I required to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) for not assuming Ihram at the prescribed Miqat? Is it permissible for me to assume Ihram at Jeddah in such a case?

A: If you only intended to perform Hajj after arriving in Makkah, nothing will be required of you. This is based on the Hadith in which the Prophet (peace be upon him) defined the Miqats for people. The Prophet (peace be upon him) said: ﴾And these Miqats are for the people at those very places, as well as for those who come through those places with the intention of performing Hajj

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and 'Umrah; and whoever is living within these boundaries can enter Ihram from the place where they are staying even the people of Makkah can assume Ihram from Makkah. ﴿ (Agreed upon by Al-Bukhari and Muslim).

9- Ruling on assuming Ihram from the Sacred Masjid

Q: What is the ruling on someone who assumes Ihram (ritual state for Hajj) in Al-Haram Al-Sharif (the Sacred Mosque in Makkah) and not from the Miqat (site for entering the ritual state for Hajj and `Umrah) to perform Hajj on behalf of someone else? Please advise. May Allah reward you!

A: If this person resides in Al-Haram until the time of Hajj is due after entering Makkah legally to perform `Umrah or Hajj or for another purpose such as business and he decides to perform Hajj for himself or on behalf of someone else, he may assume Ihram from Makkah. It is unnecessary to go to the Miqat.

10- The Prescribed Miqat for pilgrims of Africa

From `Abdul `Aziz ibn `Abdullah ibn Baz to the respected sister T.A.R. May Allah safeguard her!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I received your message dated 16/12/1391 A.H. Here is the answer to the questions you enclosed.

First: There is nothing wrong if your paternal uncle accompanies you on your journey to perform Hajj, because he is considered a Mahram (spouse or unmarriageable relative) for you. May Allah accept your deeds and give you the reward of an accepted Hajj.

Al-Juhfah or any place parallel to it, whether is it on land, sea or air, is the prescribed Miqat (site for entering the ritual state for Hajj and `Umrah) for pilgrims coming from the direction of Africa. If they happen to come to Saudi Arabia via Madinah route, their prescribed Miqat will be the one at which the people of Madinah assume Ihram. It is permissible to assume Ihram at Rabigh instead of Al-Juhfah whose landmarks have disappeared. Rabigh is located a short distance from it.

As for your question about the Masjids (mosques) of Madinah,

they have all been built recently with the exception of Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah) and the Masjid of Quba'. Nothing is special about all other recently built Masjids. They are treated like all other Masjids which are mainly built for the purpose of offering Salah (Prayer). As for going on a journey to these Masjids out of belief that one's Du`a' (supplication) or Salah will be accepted if it is offered there, this is considered a baseless Bid`ah (innovation in religion), which must be denied. This is based on the Hadith in which the Prophet (peace be upon him) said: (He who does any act for which there is no sanction from our behalf will have it rejected) Narrated by Muslim in his Sahih (Authentic Book of Hadith) from the Hadith narrated by `Aishah (may Allah be pleased with her). In order to fulfill your wish, we have decided to send you some of the books you listed in your message. These books are distributed by the Islamic University. We ask Allah (Exalted be He) to make these books beneficial to you. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you).

Head of the Islamic University

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The mistake in making Jeddah a Miqat for pilgrims coming by air and sea

All praise be to Allah, and peace and blessings be upon the Messenger of Allah, his family and Companions. To proceed:

I reviewed what Shaykh `Abdullah ibn Ibrahim Al-Ansary wrote in Qatari Calendar on pages (95 and 96) on the Miqats (sites for entering the ritual state for Hajj or `Umrah) for the pilgrims coming to Makkah with the intention of performing Hajj or `Umrah (lesser pilgrimage). I found that Shaykh `Abdullah was right in some parts and deeply mistaken in others. Therefore, I found it proper to give advice to people for the Sake of Allah regarding the wrong parts. I hope he reads this, repents to Allah for his mistake and returns to Al-Haqq (the Truth) because such return is a great honor and virtue and is better than persisting in falsehood. Moreover, this is Wajib (obligatory act) that cannot be ignored because Al-Haqq must be followed. Therefore, I say:

First: In the third paragraph of his remark, Shaykh `Abdullah, may Allah grant him success, writes:

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"The ruling on the residents of Jeddah and on those who stop in it applies to those who come by air to perform Hajj or `Umrah with the intention to stay in Jeddah even for a day. Therefore, they may enter Ihram (ritual state for Hajj or `Umrah) from Jeddah." End quote.

This is false and fairly wrong because it contradicts Sahih (authentic) Hadiths narrated on Miqats, the views of scholars in this regard, and what Shaykh `Abdullah himself states in the first paragraph of his above-mentioned remark. Moreover, the Prophet (peace be upon him) set the Miqats for the pilgrims from everywhere and did not make Jeddah a Miqat for whoever comes to Makkah from any place; this applies to pilgrims who come by land, sea or air.

The view that the pilgrims who come by air do not pass by Jeddah is false and groundless because they surely passes by one of the Miqats set by the Prophet (peace be upon him) or by any point close to any of them and therefore they have to enter Ihram from there. If the pilgrim is confused and unsure of the location, they have to enter Ihram from the place they are certain is parallel to the due Miqat or before it in order not to pass the Miqat without Ihram. It is well known that Ihram before the due Miqats is valid but scholars differ only as to whether this is Makruh (reprehensible) or not. In light of this, entering Ihram before the due Miqats if the pilgrim fears passing the Miqat without Ihram is not Makruh. On the other hand, according to Ijma` (consensus of scholars), passing the due Miqat without Ihram is Haram (prohibited) for each Mukallaf (person meeting the conditions to be held legally accountable for their actions) intending to perform Hajj or `Umrah pursuant to the Hadith of the Prophet (peace be upon him)

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narrated by Ibn Abbas (may Allah be pleased with him). In this Hadith the Prophet (peace be upon

him) said when he set the Miqats: ﴾And these Miqats are for the people at those very places and for those who pass by them with the intention of performing Hajj and `Umrah.﴿ (Agreed upon by Al-Bukhari and Muslim) And pursuant to what he (peace be upon him) said in the Hadith narrated by Ibn 'Umar (may Allah be pleased with him) : ﴾The People of Madinah enter Ihram from Dhu Al-Hulayfah and the people of Ash-Sham (the Levant) enter Ihram from Al-Juhfah while the people of Najd enter Ihram from Qarn. ﴿ (Agreed upon by Al-Bukhari and Muslim) According to scholars, the present tense verb 'enter' in the Hadith are imperative in meaning, and therefore, it is impermissible to disobey this order, especially that in other narrations the wording is 'must enter'. To say that whoever intends to stay in Jeddah for a day or a few hours from those who come to Makkah via Jeddah falls under the ruling on the inhabitants of Jeddah and thus may enter Ihram from there, has no basis in Shari`ah (Islamic law) and I do not know of any scholar who adopts it.

Therefore, it is Wajib for whoever speaks about Allah and Shari`ah-based issues to ensure the validity of what they say and have Taqwa (fear/wary of offending Allah). Speaking about Allah with no knowledge is very dangerous and has severe consequences. Allah (Glorified be He) tells us in the Noble Qur'an that speaking about Him with no knowledge is one of the heinous prohibitions: ﴾Say (O Muhammad peace be upon him): "(But) the things that my Lord has indeed forbidden are Al-Fawâhish (great evil sins, and every kind of unlawful sexual intercourse) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allâh for which He has given no authority, and saying things about Allâh of which you have no knowledge."﴿

Allah (Glorified be He) says in another Ayah (Qur'anic verse) that such act is one of Satan's orders: ﴾and follow not the footsteps of Shaitân (Satan). Verily, he is to you an open enemy.﴿ ﴾He [Shaitân (Satan)] commands you only what is evil and Fahshâ' (sinful), and that you should say against Allâh what you know not.﴿ According to such a false opinion, if the pilgrim who comes from Madinah to Makkah with the intention of performing Hajj or `Umrah wants to stay in Jeddah for a few hours, then it is permissible for them to delay entering Ihram until reaching Jeddah. This also applies to the pilgrim who comes from Najd or At-Ta'if to Makkah with the intention of performing Hajj or `Umrah and wants to stay in Lazimah or Ash-Sharai` for a day or a few hours, it is permissible for them to pass the Miqat of Qarn without entering Ihram because they fall under the ruling on the inhabitants of Lazimah or Ash-Sharai`. Surely, this is an obviously wrong and false opinion for whoever attentively studies the Nusus (Islamic texts from the Qur'an or the Sunnah) and scholars' views. Allah is the One sought for help.

Second: In the fifth paragraph, Shaykh `Abdullah Al-Ansary writes: "It is permissible for the person who intends to perform `Umrah to go to At-Tan`im to enter Ihram therefrom for it is the due Miqat." End quote. This sentence is general and condense. If Shaykh `Abdullah means the inhabitants of and the residents in Makkah, then he is right but he is to be criticized for saying: " At-Tan`im is the due Miqat" because it is not. All of Al-Hil (all areas outside the Sacred Sanctuary of Makkah) is Miqat for the people of Makkah and the residents therein. Therefore, if they enter Ihram from Al-Ji`ranah or any other place of Al-Hil, there is nothing wrong with this and they become Muhrims (pilgrims in the ritual state for Hajj and `Umrah) from a due Miqat. The Prophet

(peace be upon him) ordered `Abdur-Rahman ibn Abu Bakr to go with `Aishah to Al-Hil when she intended to perform `Umrah. The fact that she entered Ihram from At-Tan`im does not mean that it is the due Miqat; it rather indicates that such an act is Mustahab (desirable) as stated by some scholars. It is mentioned in some narrations that `Aishah (may Allah be pleased with her) reported

that the Prophet (peace be upon him) ordered `Abdur-Rahman to make her enter Ihram from At-Tan`im. To reconcile the various narrations, this - Allah knows best- was because At-Tan`im was the closest part of Al-Hil to Makkah. However, if Shaykh `Abdullah means that whoever intends to perform `Umrah may enter Ihram from At-Tan`im, even if they are in another place of Al-Hil, he is mistaken because the Miqat for any person at any place outside Al-Haram (all areas within the Sacred Sanctuary of Makkah) and away from any Miqat, is from the place they set out whether intending Hajj or `Umrah pursuant to the saying of the Prophet (peace be upon him) in the Hadith narrated by Ibn Abbas : ﴿whoever is living within these boundaries - i.e. of the due Miqats - may enter Ihram from the place they set out from.﴾ (Agreed upon by Al-Bukhari and Muslim) In another narration, the Prophet (peace be upon him) said: ﴿They can assume Ihram from the place they start from.﴾ The Prophet (peace be upon him) assumed Ihram from Al-Ji`ranah in the year of the Conquest (of Makkah) when he had completed the distribution of the spoils of the Battle of Honayn and he did not go to At-Tan`im. May Allah grant us success!

Third: In the sixth and seventh paragraphs Shaykh `Abdullah writes: "There is no supporting evidence for whoever says that the person who goes to Jeddah by air passes by the Miqat. They do not pass by any Miqat because the plane flies in an unspecified direction in the sky and lands only in Jeddah. Moreover, the Hadith states: ﴿and for whoever passes by them, i.e. Miqats. Who travels by air is not considered to pass by any Miqat.﴾

End quote. This opinion is incorrect and it was refuted earlier. Shaykh `Abdullah was preceded in making the same mistake by Shaykh `Abdullah ibn Zayd Al Mahmud when he wrote and distributed an article in which he claimed that the person who comes by air or sea to Makkah does not pass by any Miqat. He also claimed that the Miqat for such a person is Jeddah. However, just like Shaykh `Abdullah Al-Ansary, Shaykh `Abdullah ibn Zayd Al Mahmud was mistaken, may Allah forgive both of them. The Council of Senior Scholars in the Kingdom of Saudi Arabia wrote a refutation of what Shaykh `Abdullah ibn Zayd Al Mahmud claimed that Jeddah is the Miqat for the pilgrims who come to Makkah by air or sea. This refutation was published at that time and the Council did the right thing by fulfilling its duty of advising people for the Sake of Allah. People will remain safe and sound as long as they disapprove of what is wrong and Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) and convey the right and Al-Haqq. Imam Malik (may Allah be merciful to him) once elegantly said: "There is no one among us but he may refute or be refuted, except the occupant of this grave" meaning the Messenger of Allah (peace be upon him). I ask Allah to grant us forgiveness, guide us and all our brothers in Islam to reach Al-Haqq in our sayings and deeds, and to return to it when its evidence becomes clear, for He (Glorified and Exalted be He) is the Best to be asked.

Fourth: In the eighth and ninth paragraphs, Shaykh `Abdullah Al-Ansary (may Allah grant him guidance) writes: "The one who intends to keep heading towards Makkah to perform Hajj or `Umrah has to prepare his Ihram clothing (worn during the ritual state for Hajj and `Umrah) from the last airport they depart from and intend to enter Ihram twenty minutes before reaching Jeddah if they intend to keep moving

without stopping or staying in Jeddah. As for the one who stays in Jeddah even for a few hours, it is permissible for them to enter Ihram from Jeddah, In sha'a-Allah (if Allah wills) because in this case they fall under the ruling on the inhabitants of Jeddah." End quote.

As said earlier, such a view with all its details and specifics is groundless. It is Wajib on whoever

intends to perform Hajj or `Umrah and comes to Makkah by air or sea to enter Ihram from the closest place to the respective Miqat that they come parallel or close to it. It is impermissible for them to delay Ihram even if they intend to stay in Jeddah for a day or a few hours. If they doubt their location with respect to the Miqat, they have to enter Ihram from the place they are certain of in order to be on the safe side regarding what is Wajib. As for entering Ihram before passing the due Miqat with no Shar`y (Islamically allowed) excuse, it is Makruh according to some scholars.

I ask Allah to lead us to Al-Sirat-ul-Mustaqim (the Straight Path), grant us and all Muslim scholars guidance to reach Al-Haqq in our sayings and deeds and to keep us away from speaking about Him with no knowledge, He is the All Hearer, Ever Near (to all things). Since it is Wajib to advise Muslims, this subject was edited. May Allah send His Peace and Blessings upon our Prophet Muhammad and upon his family and Companions.

Refuting the claim that

Jeddah is the prescribed Miqat for all pilgrims coming

to Makkah for Hajj or `Umrah

Praise be to Allah. May Allah's peace and blessings be upon our Prophet Muhammad, his family and all his Companions. To continue:

The Messenger of Allah (peace be upon him) defined the Miqats (sites for entering the ritual state for Hajj and `Umrah) which no one is allowed to go past without first entering into Ihram (ritual state for Hajj and `Umrah) in case they intend to perform Hajj or `Umrah (lesser pilgrimage). These Miqats are:

Dhu Al-Hulayfah (now known as Abyar `Aly): It is the prescribed Miqat for the people of Madinah and those who travel via the direction of Madinah.

Al-Juhfah: It is the prescribed Miqat for the people of Al-Sham, Egypt, Morocco and those who travel via their route.

Yalamlam (Al-Sa`diyyah): It is the prescribed Miqat for the people of Yemen and those who travel via their route.

Qarn Al-Manazil (Al-Sayl Al-Kabir): It is the prescribed Miqat for the people of Najd and the people of east and those who travel via their route.

Dhat `Irq: It is the prescribed Miqat for the people of Iraq and those who travel via their route.

Those who are living within the boundaries of these Miqats can assume Ihram at the place where they are living even the people of Makkah can enter into Ihram for Hajj at Makkah. However, they have to go to Al-Hil (all areas outside the Sacred Sanctuary of Makkah) in case they want to perform `Umrah.

As for those who travel to Makkah without intending to perform Hajj or `Umrah, nothing is required of them according to the most correct view. However, if they decide to perform Hajj or `Umrah later, they can enter into Ihram at the place where they are staying. If they happen to be in Makkah, they will have to go to Al-Hil in case they want to perform `Umrah as mentioned earlier. All those who intend to perform Hajj or `Umrah have to enter into Ihram once they come in line with these Miqats, whether they are traveling by land, sea or air.

I had to issue this communiqué as one of my Muslim brothers recently authored a booklet entitled Adillat Al-Ithbat Inna Jeddah Miqat (Proofs Affirming that Jeddah is a Miqat). This book attempts to assign Jeddah as an extra Miqat alongside with the Miqats which had been defined by the Messenger of Allah (peace be upon him). The author thinks that Jeddah is the prescribed Miqat for those who head for it by air, land or sea. Those travelers, according to the author, are allowed to delay entering into Ihram until they

reach Jeddah where they can assume Ihram. He claims that Jeddah is in line with the two Miqats of Al-Sa`diyyah and Al-Juhfah. This is a plain error, which is known to all who are acquainted with proper locations of these Miqats. Jeddah is located inside the boundaries of the Miqats and as a result those who travel to it must pass by one of these Miqats which the Messenger of Allah (peace be upon him) had defined, no matter whether they are traveling by air, land or sea. It is not permissible for those who intend to perform Hajj or `Umrah to pass by these Miqats without entering into Ihram. This is based on the Hadith in which the Prophet (peace be upon him) said: ﴾And these Miqats are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj or 'Umrah﴿ Thus, it is not permissible for a person who wants to perform Hajj or `Umrah to pass by these Miqats without first assuming Ihram. They are not allowed to assume Ihram at Jeddah as it is located within the boundaries of these Miqats.

It was only when some scholars had hastened to issue a similar Fatwa agreeing to the author's view that Council of Senior Scholars issued a Fatwa refuting this false claim. The Fatwa issued in this regard states: After examining the statements of scholars regarding the Miqats and having a thorough discussion of the topic, the council has unanimously decreed the following:

1- The Fatwa permitting Jeddah to be a Miqat for those who head for it by planes or by ships is null and void, as it is not supported by a textual evidence from the Qur'an or Sunnah (whatever reported from the Prophet) or Ijma` (consensus of scholars) of Salaf (righteous predecessors). No reliable Muslim scholar is known to have issued such erroneous Fatwa.

2- It is not permissible for those who intend to perform Hajj or `Umrah to pass by these Miqats without entering into Ihram. This is substantiated by proofs and have been unanimously agreed upon by scholars (may Allah be merciful with them).

In fulfillment of the religious duty of giving counsel to Muslims, I together with members of Permanent Committee for Scholarly Research and Ifta' thought of issuing this communiqué so that no

one may follow the erroneous instructions mentioned in the booklet referred to above. May Allah grant us success! May Allah's peace and blessings be upon our Prophet Muhammad, his family and Companions!

13- Jeddah is not a Miqat

Q: Some people issue a Fatwa (legal opinion issued by a qualified Muslim scholar) allowing pilgrims who perform Hajj by plane to enter into the state of Ihram (ritual state for Hajj and `Umrah) once they land in Jeddah. Others are against this Fatwa. What is the correct opinion regarding this issue? Enlighten us with your Fatwa, may Allah reward you!

A: All pilgrims traveling to Makkah via air, land or sea have to enter into the state of Ihram at the Miqat (site for entering the ritual state for Hajj and `Umrah), which they pass by or come in line with during their journey. When the Prophet (peace be upon him) set the Miqats for different Islamic nations, he said: ﴾And these Miqats are for those living at those very places, and beside them for those who come through those places with the intention of performing Hajj and 'Umrah...﴿ (Agreed upon by Al-Bukhari and Muslim).

Jeddah is not considered a Miqat for those who land there. It is a Miqat for its inhabitants and those who land there without having a previous intention to perform Hajj or `Umrah, which they decide to do after their arrival.

Q: What is the ruling on making Jeddah the prescribed Miqat for pilgrims coming from the U.S.A.?

A: Jeddah is the prescribed Miqat for its inhabitants and those who intend to perform Hajj

or `Umrah while traveling via land or sea and do not come in line with any Miqat before reaching it. It can not be considered as a Miqat for any other pilgrim.

14- The prescribed Miqat for pilgrims coming from Sudan

Q: Some scholars decide that Jeddah is the prescribed Miqat (site for entering the ritual state for Hajj and `Umrah) for pilgrims coming from Sudan?

A: It depends on the route they take. If they take the route that passes by the Miqat of Al-Juhfah, they will have to enter into the state of Ihram (ritual state for Hajj and `Umrah) there. If they do not come in line with any Miqat before reaching Jeddah, they will have to enter into the state of Ihram for Hajj or `Umrah at Jeddah.

15- The ruling on those who tell pilgrims to stay three days in Jeddah and then enter into the state of Ihram

Q: Some people coming to Saudi Arabia are told to stay three days in Jeddah after which they may enter into the state of Ihram (ritual state for Hajj and `Umrah) at the prescribed Miqat (site for entering the ritual state for Hajj and `Umrah). What is the ruling on that?

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A: They are required to return to their prescribed Miqats, if they have intended to perform Hajj or `Umrah (lesser pilgrimage). They are not allowed to go past the Miqat without entering into the state of Ihram. When the Prophet (peace be upon him) set the Miqats for the people of Madinah, Al-Sham (the Levant), Najd, Yemen, and other Islamic nations, he said: (And these Miqats are for those living at those very places, and beside them for those who come through those places with the intention of performing Hajj and 'Umrah.) Therefore, they are required to enter into the state of Ihram at the Miqat, which they pass over on their journey for Hajj or `Umrah. In case they happen to go past it without entering into the state of Ihram, they will be required to return to it. If they do not return, and enter into the state of Ihram at a place located past the Miqat, they will be required to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah). The same is equally applied if they are incapable of returning to the Miqat. The Dam has to be offered in Makkah and its meat should be distributed to the poor.

16-

A commentary on H.E. Shaykh `Abdullah Kanun

about considering it permissible for the people of Morocco to postpone Ihram till Jeddah

Praise be to Allah, the Lord of the Worlds and peace and blessings be upon the Truthful and the Honest, our Prophet Muhammad and upon all his family, Companions and those who follow in their footsteps to the Last Day. To proceed:

I read the Fatwa issued by H.E. Shaykh `Abdullah Kanun that was published in a Moroccan newspaper named "Al-Mithaq" about putting on Ihram in the plane for the people of Morocco and postponing wearing it till they enter Jeddah. I was quite amazed at this Fatwa. Though I appreciate his knowledge and virtue, I want to pay attention to the fact that this Fatwa is not correct and that postponing putting on Ihram till entering Jeddah on the part of Moroccans coming to perform Hajj or `Umrah (lesser pilgrimage) contradicts authentic Hadiths that prove the obligation of wearing Ihram at the places of Miqat (sites for entering Ihram for Hajj and `Umrah) set by the Messenger of Allah

(peace be upon him). These places include Al-Juhfah as the Miqat for the people of Egypt, Syria, Morocco, and all the countries of north Africa.

Pilgrims coming from Morocco should put on Ihram when they are parallel to the Miqat, whether on a plane, on land, or on sea, as stated by the Noble Hadith and by

scholars.

The Miqat set by the Prophet (peace be upon him) is not confined to the time of Allah's Messenger (peace be upon him). Rather, it is a Miqat for Muslims till the Day of Resurrection.

Allah (may He be Praised and Exalted) knows that at the end of time there will be planes and other inventions, and this means that the people who use these means of transportation are included in the ruling. If they fear that they will exceed the Miqat, they can put on Ihram before reaching it to be on the safe side.

Mr. `Abdullah said that those who are travelling by plane cannot prepare themselves while on board to enter the state of Ihram through performing ritual bath and performing Prayer. However, a pilgrim can prepare himself at his home or in his country before boarding the plane, knowing that taking ritual bath is not obligatory; rather it is Mustahab (desirable). The same applies to Wudu' i.e. it is not obligatory. In other words, if a pilgrim puts on Ihram without either performing Wudu' or taking a ritual bath, his Ihram is valid.

The same applies to offering prayer before entering the State of Ihram; it is not obligatory but it is Mustahab (desirable) according to the Jumhur (dominant majority of scholars). Even some scholars state that it is not Mustahab due to the lack of authentic and explicit evidence in this regard.

If the person performing Hajj or `Umrah puts on Ihram without either performing wudu' (ablution) or taking a ritual bath, his Ihram is valid. It is not permissible to postpone an obligatory act beyond its due time or place

in order to keep a desirable act. Rather, the obligatory acts of worship must be given priority and must be done at their due times even if this means that the person will not perform what is desirable. This ruling is unequivocally clear.

My advice to our brother Shaykh `Abdullah Kanun is to withdraw this Fatwa since it is obligatory for the believer to adhere to what is right, which is an honor for him and it is better for him than going too far in a Fatwa that contradicts evidence. I ask Allah to grant us, him and all our fellow Muslim success to meet the truth in our words and deeds. He is Most Generous, Most Gracious. May Allah's Peace and Blessings be upon our Prophet Muhammad and upon his family and Companions!

General Chairman of the Departments of Scholarly

Research, Ifta', Da`wah, and Guidance

`Abdul `Aziz ibn `Abdullah ibn Baz

The ruling on someone who goes past the Miqat due to forgetfulness

Q: Does the person who forgetfully goes past the Miqat (site for entering the ritual state for Hajj and `Umrah) have to return to it? Is there anything required of him?

A: They are required to return to it, if they have not yet entered into the state of Ihram (ritual state for Hajj and `Umrah). If they have already entered into the state of Ihram, they will not have to return to it but will be required to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah).

18- The ruling on chanting Talbiyah some time before reaching the Miqat as a precautionary measure

Q: What is the ruling on the person who starts to chant Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) half an hour before the announcement to enter into the state of Ihram (ritual state for Hajj and `Umrah) is made on a plane?

A: There is nothing wrong if the person does this as a necessary precautionary measure.

Whoever does pass not by Miqat and cannot

recognize the parallel site of it should assume Ihram when he is at least 80 km from Makkah

Q: What is ruling on entering Ihram (ritual state for Hajj and `Umrah) from Jeddah for pilgrims who come from outside the Saudi Kingdom ?

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A: It is obligatory to assume the state of Ihram from the Miqat (the site for entering the ritual state for Hajj and `Umrah) whether it is the Miqat for one's country or another that pilgrims pass by on their way. For example, the people of the Levant who come via Madinah should enter Ihram from the Miqat of Madinah. If they pass this Miqat, they have to return to it and assume Ihram from there, as it is what should be done. If they are unable to do so, they may enter Ihram from their place and should offer a sacrifice for the poor of Al-Haram (the Sacred Sanctuary of Makkah) and slaughter it in Makkah. Those who do not pass by a Miqat on their way should come in line with the nearest point to the first Miqat they pass by and then enter the state of Ihram. But those who are unable to observe any of these choices should assume Ihram if it takes a day and a night to reach Makkah which is approximately equal to 80 km. May Allah grant us success!

Q: Someone living in Najd could not enter into the state of Ihram (ritual state for Hajj and `Umrah) for `Umrah (lesser pilgrimage) before the plane went past the Miqat (site for entering the ritual state for Hajj and `Umrah). Is it permissible for him to go to the Miqat at Rabigh?

A: He should return to the Miqat, which the plane passed over. There he can enter into the state of Ihram. This is so, provided that he previously intended to perform Hajj or `Umrah. In case he arrives in Jeddah for a purpose other than Hajj or `Umrah, and later decides to perform any of them, he will be required to enter into the state of Ihram at Jeddah. This is because he has only intended to perform Hajj or `Umrah after arriving in Jeddah. This is based on the authentic Hadith in which the Prophet (peace be upon him) is reported to have said:

﴾And whoever lives within the limits of these Miqats may enter into the state of Ihram at the place where they are staying even the people of Makkah can enter into the state of Ihram at Makkah ﴿

However, if the person happens to be at Makkah and wants to perform `Umrah, he will have to go to Al-Hil (all areas outside the Sacred Sanctuary of Makkah) where he can enter into the state of Ihram. Al-Hil areas include Al-Tan`im, Al-Ji`ranah and other places. This is based on the fact the Prophet (peace be upon him) ordered `Aishah (may Allah be pleased with her) to go to Al-Tan`im where she had to assume the state of Ihram for `Umrah. This Hadith qualifies the application of the general Hadith narrated by Ibn `Abbas, as it gives a person who intends to make `Umrah, according to `Aishah's report, a specific ruling i.e. going outside the sacred areas. May Allah grant us success!

20- The ruling on someone who travels to Jeddah with the intention of performing `Umrah

Q: Brother A.`A.M. from Riyadh asks: I traveled to Jeddah. I had intended to stay there for five days after which I was supposed to travel to Makkah to perform `Umrah (lesser pilgrimage). What am I required to do in such a case?

A: You are required to return to the Miqat (site for entering the ritual state for Hajj and `Umrah) in Qarn Valley, now known as Al-Sayl. There you can enter into the state of Ihram (ritual state for Hajj and `Umrah) in case your intention at the time

you were traveling to Jeddah was to perform `Umrah. This is based on the Hadith in which the Prophet (peace be upon him) set the Miqats for people. The Prophet (peace be upon him) said: ﴾And these Miqats are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah﴿ Agreed upon by Al-Bukhari and Muslim from the Hadith narrated by Ibn `Abbas (may Allah be pleased with them both).

Q: A person intends to perform Hajj while travelling from their country and the plane lands at the airport of Jeddah. So, they enter the state of Ihram from Jeddah. What is the ruling in this regard?

A: If the plane lands at Jeddah while the person comes from the Levant or Egypt, they should assume Ihram (ritual state for Hajj and `Umrah) from Rabigh. So, they should go to Rabigh, using any means of transportation to enter Ihram thereform. They should not assume Ihram from Jeddah. In the same manner, if the person comes from Najd and did not assume Ihram till they arrive at Jeddah, they should go to Al-Sayl, which is Qarn Valley, to undertake Ihram therefrom. Also, if the person assumes Ihram from Jeddah and does not go to the due site for Ihram, then they have to slaughter a sheep, meeting the same conditions for Ud-hiyah (sacrificial animal offered by non-pilgrims), in Makkah and distribute its meat to the poor; or they should sacrifice one-seventh of Badanah (a camel or a cow or an ox driven to be offered as a sacrifice by the pilgrims at the sanctuary of Makkah). This is in order to make up for the shortcomings of one's Hajj or `Umrah (lesser pilgrimage).

Q: Brother S.W. from Najran asks: I intended to visit my sister who lives in Jeddah and to perform `Umrah (lesser pilgrimage) later. I traveled by plane from Najran to Jeddah where I stayed for a whole day. The next day

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I headed for Makkah to perform `Umrah. Is that `Umrah valid?

A: If you entered into the state of Ihram (ritual state for Hajj and `Umrah) at the Miqat in Yalamlam, the prescribed Miqat for the people of Yemen, nothing will be required of you. In case you have entered into the state of Ihram at Jeddah, you will be required to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah). The Dam has to be offered in Makkah and distributed to the poor, because you have gone past the Miqat (site for entering the ritual state for Hajj and `Umrah) without entering into the state of Ihram for the `Umrah, which you have intended to perform. When the Prophet (peace be upon him) set the Miqats for people, he said: ﴾And these Miqats are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah﴿ (Agreed upon by Al-Bukhari and Muslim). Ibn `Abbas (may Allah be pleased with them both) said: ﴾"If anyone misses or forgets to perform any ritual (during Hajj), he should slaughter an animal".﴿ You are considered to have missed to perform a ritual of Hajj or `Umrah by not entering into the state of Ihram at the prescribed Miqat. May Allah grant us all success!

21- Entering the state of Ihram on a plane

Q: What time should a pilgrim traveling by plane enter into the state of Ihram (ritual state for Hajj and `Umrah)?

(Part No. 17; Page No. 45)

A: Like pilgrims traveling on land, others traveling by air or sea are required to enter into the state of Ihram once they come in line with the prescribed Miqat (site for entering the ritual state for Hajj and `Umrah). They are allowed to enter into the state of Ihram a short time before reaching the Miqat if they fear the speed of the plane or ship may make them have no time to enter into Ihram.

22-

The report of His Eminence on the statement of the Council of

the Islamic Fiqh Assembly on the person

who entered the state of Ihram before reaching Al-Miqat

as well as the person who was parallel to Al-Miqat without having the necessary things for Ihram

Praise be to Allah, the Lord of the Worlds and peace and blessings be upon the leader of the pious and the master of the Messengers our Prophet Muhammad, his family and Companions!

The Council of the Islamic Fiqh Assembly held in Makkah Al-Mukarramah during the period from 7/4 to 15/4/1401 A.H. have examined in their fourth session the questions asked by many of those coming to Makkah Al-Mukarramah to perform Hajj (Pilgrimage) or `Umrah (lesser pilgrimage) i.e. during their journey to Makkah by plane or by sea. These people say that they face some problems because they do not know when they are parallel to the Miqat (site for entering the ritual state for Hajj or `Umrah) set by the Prophet (peace be upon him) who made it obligatory to begin Ihram (clothing worn during the ritual state for Hajj and `Umrah) therefrom for their inhabitants as well as whoever passes by them on his way to Makkah to perform Hajj (pilgrimage) or `Umrah (lesser pilgrimage). These Miqats are:

Dhu Al-Hulayfah for the people of Madinah and for the non-indigenous people who come through it. Now it is known as Abar `Aly;

Al-Juhfah for the people of Al-Sham (The Levant), Egypt, Morocco and for the non-indigenous people

who come through it. Now it is known as Rabigh;

Qarn Al-Manazil for the people of Najd and for the non-indigenous people who come through it. Now it is known as Muharram Valley It is also called Al-Sayl;

Dhat `Irq for the people of Iraq, Khurasan and for the non-indigenous people who come through it. Now it is known as Al-Daribah;

and Yalamlim for the people of Yemen and for the non-indigenous people who come through it.

The Council decided that they must assume Ihram upon reaching the nearest Miqat to them out of these five Miqats whether they are traveling by plane or by sea. If they fall into doubt about this and there is no one among them who can guide them regarding their alignment to the Miqat, then they must take precautions and assume Ihram at a time they believe or most believe that have not reached the Miqat. This is because in spite of Karahah (reprehensibility), assuming Ihram before reaching the Miqat is permissible and valid. Knowing that it was done as a precautionary measure lest they would pass the Miqat without assuming Ihram, there will be no Karahah (reprehensibility) because there is no Karahah in performing an obligatory act of worship. What we have just mentioned was stated by the scholars of the Four Madh-habs (Hanafy, Maliky, Shafi`y, and Hanbaly) who substantiated this with Sahih (authentic) reported from Allah's Messenger (peace be upon him) regarding appointing the Miqats for people making it obligatory for themselves to perform Hajj or `Umrah. They also presented as a substantiation for their consensus what was authentically reported from Amir Al-Mu'minin (Commander of the Believers) `Umar ibn

Al-Khattab (may Allah be pleased with him) when he was asked by the people of Iraq: O Amir Al-Mu'minin, the Messenger of Allah defined the Miqat for the people of Najd as being Qarn, but it is out of our way, and if we want to go to Qarn but it is too difficult for us." He (may Allah be pleased with him) said to them: "Look for a place on your route that is in line with it," and he defined Dhat `Irq for them (as their Miqat). Commenting on this, the scholars said: Verily, Allah (may He be Praised) made it obligatory upon His Servants to fear Him as much as they can, and this is what is within the capacity of those who could not pass by the very Miqat.

Knowing that, it is not permissible for Muslims making it obligatory upon themselves to perform Hajj or `Umrah who are coming to Makkah by plane or by sea nor for any other people, to postpone assuming Ihram till they reach Jeddah since Jeddah is not one of the Miqats set by Allah's Messenger (peace be upon him). The same applies to the person who has not brought the necessary things for Ihram with him i.e. it is not permissible for him to postpone assuming Ihram till he reaches Jeddah. Rather, he should assume Ihram while wearing his trousers if he does not have an Izar (garment worn below the waist). The Prophet (peace be upon him) said in a Sahih (authentic) Hadith: ("Whoever does not get an Izar (Waistcloth) can wear trousers and whoever cannot obtain a pair of shoes can wear Khuffs (slippers)".) Yet, he should uncover his head because when being asked about what the person assuming Ihram should wear, the Prophet (peace be upon him) said: ("He should not wear a shirt, or turbans, or pants, or burnooses (hooded cloaks), or leather stockings except for someone who could not find any footwear...") (Agreed upon by Al-Bukhari and Muslim)

Accordingly, it is not permissible for a pilgrim to wear a turban, a cap or anything else on his head. If he has a screening turban, he can use it as an Izar (garment worn below the waist) but in this case it is not permissible for him to wear trousers. Upon reaching Jeddah he should take off the trousers and use an Izar (garment worn below the waist) if this is within his capacity. If he neither wears trousers nor has a turban that can be used as an Izar (garment worn below the waist) when aligning

to the Miqat while traveling by plane or ship, then it is permissible for him to assume Ihram in his shirt but he must uncover his head. Upon reaching Jeddah he should buy an Izar (garment worn below the waist) and take off his shirt. He should offer Kaffarah (expiation) for assuming Ihram in a shirt: He should feed six poor persons in Al-Haram (all areas within the Sacred Sanctuary of Makkah), for each of them he should give half a Sa` (1 Sa` = 2.172 kg) of the local staple food, whether it is dates, rice or something like that; fast three days; or slaughter an ewe. It is up to him to choose from these three things as the Prophet (peace be upon him) gave Ka`b ibn `Ujrah the choice when he permitted him to shave his hair due to the disease he was suffering from. May Allah grant us success and may Allah send blessings and peace upon our Prophet Muhammad, his family and Companions!

23-

staying in Jeddah after entering the state of Ihram

Q: I traveled with my mother by plane to perform `Umrah (lesser pilgrimage) in Ramadan. As we came in line with the Miqat (site for entering the ritual state for Hajj and `Umrah) in Abyar `Aly, we started to enter into the state of Ihram (ritual state for Hajj and `Umrah). The plane landed in Jeddah where we stayed until we broke our fast. In the evening we set off for Makkah to perform `Umrah. We took off our Ihram (clothing worn during the ritual state for Hajj and `Umrah) after we had completed the rituals of `Umrah. Is there anything required of us for staying a while in Jeddah? Enlighten us may Allah reward you best.

A: If the reality is as you mentioned, nothing will be required of you or your mother for staying in Jeddah while in the state of Ihram. The Muhrim (pilgrim in the ritual state for Hajj and `Umrah) is allowed to rest on his journey to perform `Umrah. He may do so at any place when necessary. May Allah grant success to all of us.

24-

Ruling on intending Ihram from a close residence to the Miqat

From `Abdul-`Aziz ibn `Abdullah ibn Baz to my dear brother, A. R. N., may Allah protect you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

Concerning your letter no. 885 dated 16/10/1411 A.H. which states: **Could you please answer the following question: We live in Al-Qunfudhah, almost three hundred and fifty kilometers away from Makkah Al-Mukarramah, and it is well known that the Miqat (site for entering the ritual state for Hajj and `Umrah) of Yemenites is Yalamlam (Al-Sa`diyyah). Since the roads are now well paved and leveled - praise be to Allah - there are some people who perform their Ghusl (ritual bath) and put on their Ihram (ritual state for Hajj and `Umrah) clothing from Al-Qunfudhah, almost two hundred and sixty kilometers away from Yalamlam Valley (Al-Sa`diyyah).**

Is it permissible for people to perform Ghusl and wear their Ihram clothing from their houses located at Al-Qunfudhah? If this is allowable, can they intend Ihram from inside their houses or not? Guide us, may Allah reward you with the best! May He help you to serve Islam and Muslims!

The answer is as follows: It is permissible for them to perform Ghusl and wear their Ihram clothing and their perfume from inside their houses, because they live a close distance away from the Miqat that can be covered by car. However, it is prescribed for them not to enter Ihram except from the Miqat. It should be known that Ihram is making the intention to start the rituals of Hajj or `Umrah. That is the definition of Ihram. It is permissible for the pilgrim to verbally pronounce whether it is Hajj or `Umrah, saying: "Allahumma labbayka `Umrah [O Allah! In response to Your Call I perform `Umrah]," or "Allahumma labbayka Hajj [O Allah! In response to Your Call I perform Hajj]," or "Allahumma awjabtu `Umrah [O Allah! I oblige myself to perform `Umrah]" or "Allahumma awjabtu Hajj [O Allah! I oblige myself to perform Hajj]." Then they chant the Islamically prescribed formula of Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah): "Labbayka Allahumma labbayk, labbayka la sharika laka labbayk. Inna al-hamda wan-ni`mata laka wal-mulk, la sharika lak [Here I am, O Allah, here I am. Here I am, You have no partner, here I am. Verily all praise and blessings are Yours, and all sovereignty, You have no partner]."

May Allah grant us success to do that which pleases Him!

As-salamu `alaykum warahmatullah wabarakatuh!

General Chairman of the Departments of Scholarly Research,

25- The ruling on traveling for work and staying somewhere away from the Miqat while having the intention to perform Hajj when possible

Q: A person living in Riyadh is supposed to travel to Jeddah for work during the Hajj season. He does not know whether he will have the chance to do Hajj or not. If he has the chance to perform it, where does he have to assume the state of Ihram (ritual state for hajj and `Umrah)? If, before leaving Riyadh he knows that it is possible for him to perform Hajj, does he have to intend Hajj in Riyadh and assume Ihram at the Miqat (site for entering the ritual state for Hajj and `Umrah) designated for the people of Najd? Or does he have to assume Ihram in Jeddah?

A: A person who travels to Makkah with the intention to perform Hajj whenever possible, will have to assume Ihram at the place where they are staying there, no matter whether they are staying within the boundaries of the Miqats or in Makkah. In case that person knows that he will have the chance to perform Hajj, he will be required to assume Ihram at the Miqat which he passes by so long as he is determined to perform Hajj. When the Prophet (peace be upon him) set the Miqats, he said: ﴿....and these Mawaqit are for those living at those very places, and besides them for those who come through those places with the intention of performing Hajj and 'Umrah. As for those who live outside the boundaries of these Mawaqit, they may assume the state of Ihram at the place where they are even the people of Makkah can assume Ihram in Makkah. ﴾ (Agreed upon by Al-Bukhari and Muslim).

26- Ruling on a student who intends Hajj from a city outside the Miqat whose family lives in Jeddah

Q: I am now studying in the Eastern Region while my family lives in Jeddah and I want to perform Hajj. From where should I enter Ihram (ritual state for Hajj and `Umrah); Qarn Al-Manazil or from my residence in Jeddah?

A: You have the choice to do either one, as long as you are from the residents of Jeddah and also live outside the Miqat (site for entering the ritual state for Hajj or `Umrah). Yet, it is better and more proper for you to enter Ihram from Qarn Al-Manazil, because you are coming from outside the Miqat. This is the preferable course of action and to be on the safe side. However, you may go to your family in Jeddah and start your Ihram from there.

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27- There is nothing wrong with washing the Ihram

Q: Is it permissible to change the Ihram (clothing worn during the ritual state for Hajj and `Umrah) to wash it?

A: There is nothing wrong if the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) washes his dirty Ihram or wears another clean or washed one.

28- Blood-stained Ihram

Q: Is it permissible to offer Salah (Prayer) in an Ihram (clothing worn during the ritual state for Hajj and `Umrah) that is stained with a little or a lot of blood?

A: The pilgrims should wash their Ihrams if they get stained with a lot of or a little blood. However, there is nothing wrong if the pilgrim offers Salah in the Ihram which is stained with a little blood.

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If there is much blood, they must wash it first before offering Salah in it. They may also wear another clean Ihram. This is because the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) is allowed to change their Ihram many times even if there is no reason for that, no matter whether the Muhrim is a man or woman. He is not allowed to offer Salah in clothes stained with dirt. The Salah will be invalid if they willfully offer it in an unclean Ihram. However, the Salah will be valid if it is offered in these clothes out forgetfulness or ignorance. The validity of Hajj is not affected by uncleanliness of the Ihram.

29- Ruling on feeling that something comes out from you during Ihram

Q: What is the ruling on a person who feels Madhy (thin white viscid prostatic fluid secreted due to sexual thoughts or desire) or drops of urine coming out from him while he is in the state of Ihram (ritual state for Hajj and `Umrah) or while going out to perform Prayer?

A: It is obligatory on the believer who feels this to perform Wudu' (ablution), if it is a time of performing Salah. Before that he should also perform Istinja' (cleansing the private parts with water) from either urine or Madhy. In the case of Madhy, it is obligatory on him to wash the penis and testicles. As for urine,

he should just wash the contaminated tip of penis and perform Wudu' (ablution) if the time of Salah is due. If it is not a Prayer time, then there is no objection in delaying it until the Prayer time. Yet this should not be out of waswasah (whispering misgivings). Rather, it should be based on certainty. If it is out of waswasah, a person should get rid of these thoughts and forget about them in order not to be inflicted with obsessive compulsive behavior. Some might be inflicted with some whispering misgivings leading them to assume something has come out of them whereas nothing came out of them. Thus they should not surrender to these thoughts. They should get rid of these thoughts, turn away and divert themselves from them to escape this unwanted feeling. If they fear this, they may sprinkle water around their private parts upon completing Wudu'. This way, if whispered misgivings haunt them again that there are drops of water in this area, they will recognize that these drops are out of the pure water with which they washed their private parts and be safe from the danger of waswasah.

30- It is permissible for women to enter the state of Ihram in any clothing provided that Fitnah is unlikely

Qc: Is it permissible for a woman to enter the state of Ihram (ritual state for Hajj and `Umrah) in any modest clothing she wishes?

A: Yes, she is permitted to put on the Ihram clothing as she wishes. There is no specific clothing of Ihram for her as the common people believe. However, her Ihram clothing

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should not be eye-catching, causing Fitnah (temptation) or beautiful; rather, it should be ordinary for she is going to be mixing with people. Nevertheless, if she puts on beautiful clothes, her Ihram is valid but she abandoned what is best.

The best Ihram clothing for men is to put on two white pieces of clothes; Izar (garment worn below the waist) and Rida' (garment worn around the upper part of the body). There is no harm if they are not white. It was authentically reported that the Prophet (peace be upon him) performed Tawaf (circumambulation around the Ka`bah) in a green garment. It was also authentically reported that the Prophet (peace be upon him) wore a black turban when entering Makkah during its Opening.

In conclusion, there is nothing wrong if the Ihram clothing is not white, but white is the best. The Prophet (peace be upon him) said: ﴾Wear your white garments, for they are among your best garments, and shroud your dead in them.﴿

31- The ruling on using tablets that prevent menstruation

Q: Is it permissible for a woman to take anti-menstrual tablets so that she can perform the obligation of Hajj? If this is not allowed, is there anything else she can do?

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A: There is nothing wrong if a woman takes contraceptive pills that prevent her from menstruating during the month of Ramadan or Hajj season in order to be able to fast and make Tawaf (circumambulation around the Ka`bah). There is nothing wrong with using any other means that prevents menstruation as long as it does not prove to be prohibited or hazardous.

32- Ruling on entering the state of Ihram while menstruating or in postpartum period

Q: A woman had her menses and her family wanted to perform `Umrah (lesser pilgrimage). Since there was no one to stay with, she went with her family for performing `Umrah. Moreover, she performed all the acts of `Umrah, including, Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) due to being illiterate, ignorant and shy to let her Waliy (guardian) know that she is in a state of menstruation. What is the ruling on this regard? What should she do?

A: If she performed Ihram (ritual state for Hajj and `Umrah) along with her family, she should repeat

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Tawaf and cutting her hair after performing Ghusl (ritual bath following major ritual impurity) at the end of her period. As for the Sa`y, it is considered to be valid according to the more correct of the two opinions of scholars. However, if she is to repeat the Sa`y after Tawaf, this is much better to be on the safe side. She has to repent to Allah (Glorified be He) of having performed Tawaf, and offering two Rak`ahs (units of Prayer) of Tawaf while being in a state of menstruation.

If she is married, her husband is not permitted to have sexual intercourse with her, until she completes her `Umrah. If he does so before she finishes her `Umarh, her `Umrah is rendered invalid and she should offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) which is either a one-year-old sheep or a two-year-old goat to be slaughtered for the poor in Makkah. She should complete her `Umrah as stated above. So she should perform another `Umrah, by performing Ihram from the Miqat (site for entering the ritual state for Hajj and `Umrah) where she performed Ihram for the first `Umrah, in lieu of this invalid `Umrah. However, if she performed Tawaf and Sa`y with her family out of courtesy and shyness, without entering the state of Ihram from the Miqat, she should only repent to Allah (Glorified be He), for `Umrah and Hajj are not valid without Ihram, which is the intention to perform `Umrah, Hajj or both. We ask Allah to guide and save us all from the insinuations of Satan.

Q: What is the ruling on a woman who, when she assumed Ihram (ritual state for Hajj and 'Umrah) for 'Umrah (lesser pilgrimage), her menstruation began, so she removed the clothing she wore for Ihram, canceled her 'Umrah, and traveled home?

A: This woman is still considered to be under the ruling for Ihram, although she removed

the clothes that she assumed Ihram in, this does not take her out of the ruling for Ihram. She should return to Makkah and complete her 'Umrah. She does not have to pay a Kaffarah (expiation) for removing the clothing, or if she cut her nails or her hair, or for traveling home, if she was ignorant of the ruling on this. However, if she is married and her husband had sexual intercourse with her before she returned to complete the rituals of her 'Umrah, this has spoiled her 'Umrah. It is still obligatory on her to perform the rituals of 'Umrah, even if it is spoiled, and make up for it by performing another 'Umrah after that from the same Miqat (site for entering the ritual state for Hajj and 'Umrah) that she entered into Ihram from for the first 'Umrah. She should also pay a Fidyah (ransom), which is one-seventh of a camel, one-seventh of a cow, or one sheep that is Jadha'ah (has reached six months of age), or one goat that is Thaniyyah (has reached one year of age), which should be slaughtered in the Haram (all areas within the Sacred Sanctuary of Makkah) and distributed among the poor of the Haram, for spoiling her 'Umrah due to intercourse.

A woman may enter into Ihram wearing any clothes she likes; she does not have to wear specific clothing for Ihram, as some laypeople think. However, it is preferable that Ihram clothes are not beautiful, so they will not arouse Fitnah (temptation). And Allah knows best!

Q: A pilgrim woman from Morocco entered Makkah in the state of Ihram (ritual state for Hajj and `Umrah) then she had her menses after Tawaf (circumambulating the Ka`bah); what should she do?

A: This woman has to perform Sa`y (going between Safa and Marwah), shorten her hair and terminate her Ihram

making the intention to perform `Umrah (the lesser pilgirmage). So, if it is the Day of Tarwiyah (8th of Dhul-Hijjah), she would enter into the state of Ihram to perform Hajj when she sets out to Mina. In case she entered into the state of Ihram to perform Hajj from the first place and would like to stay in her Ihram, she may perform Sa`y during her menses because there is no need for purification during Sa`y, or she may delay Sa`y until she returns from `Arafah then perform Sa`y in addition to Tawaf (circumambulation around the Ka`bah) of Hajj because in this case she performs Hajj only which is permissible. But entering Makkah in Ihram for `Umrah is better as the Prophet (peace be upon him) commanded his companions (May Allah be pleased with them) when they entered Makkah in the Farewell Hajj. Some of them made the intention for Hajj and some made it for `Umrah and some with both. So, the Prophet (peace be upon him) commanded them to terminate their Ihram and make their intention to perform `Umrah except for those who had Hady (sacrificial animal offered by pilgrims). This is known in many authentic Hadiths. It is permissible for a believer to watch out his sayings and deeds during Hajj and others which must be done according to the Sunnah of the Prophet (peace be upon him). May Allah grant us success.

Q: What is the ruling when a woman fears that she will menstruate when she comes to the Sacred Mosque? Should she make her intention conditional before `Umrah (lesser pilgrimage)?

A: She may do this because menstruation may prevent her from completing her `Umrah

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and she can not dispense with her companions; but it is a different case in Hajj where its time is long, so there is no Ihsar (being blocked from performing Hajj or `Umrah after entering ritual state for Hajj and `Umrah) in it.

33- Woman's Salah and Hajj in her postpartum period

Q: Is it permissible for a woman who has just given birth to fast, offer Salah (Prayer) or perform Hajj in case she becomes ritually pure before her postpartum period ends?

A: Yes. It is permissible for her to fast, offer Salah, perform Hajj or `Umrah (lesser pilgrimage). It is also permissible for her husband to resume sexual relations with her if she becomes ritually pure before her postpartum period ends. For example, if she becomes ritually pure twenty days following delivery, she can make Ghusl (ritual bath) and then start to offer Salah, observe fasting and resume sexual relations with her husband. As for the report attributed to `Uthman ibn Abu Al-`As that he disliked that, this was his personal Ijtihad (juristic effort to infer expert legal rulings) which is not supported by evidence. The correct view is that she will be counted as ritually pure if her postpartum blood ceases before the end of her postpartum period. If, within the same period she starts to bleed again, she has to consider it as postpartum blood. However, her previous fast, Salah and Hajj will be considered as valid. She does not have to repeat it again so long as she did it while being in a state of Taharah (ritual purification).

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34-

A menstruating woman or a woman who has just given birth reading books containing Du`a' while performing Hajj rituals

Q: Is it permissible for a menstruating woman to read books that contain Du`a' (supplication) on the Day of `Arafah (9th of Dhul-Hijjah), given the fact that these books contain Ayahs (Qur'anic verses)?

A: There is nothing wrong with a menstruating woman or a woman who has just given birth to read books that contain Du`a' while performing Hajj rituals. She is even allowed to recite the Qur'an according to the most preferable view held by scholars. There exists no authentic or explicit text in the Qur'an or Sunnah (whatever reported from the Prophet) which forbids a menstruating woman or a woman who has just given birth from reciting the Qur'an. Only the person in a state of Janabah (major ritual impurity related to sexual discharge) is prohibited from reciting the Qur'an. This is based on the Hadith narrated by `Aly (may Allah be pleased with him). As for the Hadith narrated by Ibn `Umar which states: (Neither a menstruating woman nor a Junub (in a state of major ritual impurity) should recite anything from the Qur'an.) it has been categorized as Da`if (a Hadith that fails to reach the status of Hasan, due to a weakness in the chain of narration or one of the narrators) because the Hadith is narrated by Isma`il ibn `Ayyash from the people of Hijaz. Ismail's narrations from the people of Hijaz have been classified as weak. However, both the menstruating and newly-delivered women are only allowed to recite the Qur'an from memory without holding or touching the Mush-haf (Arabic Qur'an). As for the person in a state of Janabah, they are not allowed to recite the Qur'an neither verbally nor

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from the Mush-af until they have first performed Ghusl (ritual bath following major ritual impurity). The difference between the two cases (i.e Janabah and menstruation) is that the Junub can remove the state of Janabah at any time after sexual intercourse. Therefore, he can perform Ghusl at any time he wants. If there is a shortage of water, he may perform Tayammum (dry ablution) after which he can offer Salah (Prayer) and recite the Qur'an. This is not the case with a menstruating woman or woman who has just given birth whose menstruation or postpartum period might last for as long as Allah wills. That is why they have been allowed to recite the Qur'an so that they will not forget it or miss the excellent reward of reciting it and learning the rulings of Shari`ah (Islamic Law) contained in it. It is even more permissible for them to read books of Du`a' that have Ayahs (Qur'anic verses) and Hadiths intermixed with them. This is the most correct of the two views held by scholars (may Allah have mercy on them).

35- Offering two Rak`ahs before assuming the state of Ihram

Q: Is a person's Ihram (ritual state for Hajj and `Umrah) for Hajj or `Umrah (lesser pilgrimage) valid without performing two Rak`ahs (units of Prayer) with it? Is it a condition for the validity of Ihram to utter one's intention in an audible voice?

A: The validity of Ihram is not contingent upon offering two Rak`ahs on assuming it. It is only Mustahab (desirable) according to most scholars. It is preferable that the person's intention is expressed in the heart.

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After expressing the intention, the pilgrim can say: allahumma labbyaka `umrah, or allahumma labbayka hajjah or allahumma labbyaka `umratan wa hajjah (O Allah! I respond to Your call to perform `Umrah, or O Allah! I respond to Your call to perform Hajj, or, O Allah! I respond to Your call to perform `Umrah and Hajj). He can combine Hajj and `Umrah if he wants to perform Qiran Hajj (combining Hajj and `Umrah simultaneously) like the Prophet (peace be upon him) and his Sahabah (Companions) did. Verbal expression of intention is not a condition for validity of Ihram. The pilgrim may then start to chant Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) saying: labbayka allahumma labbyak, labbayka la sharika laka labbyak, inna al-hamda wan-ni`mata laka wa-l-mulk, la sharika lak (Here I am O Allah, in respond to Your call, here I am. Here I am, You have no partner, here I am. Indeed, all praise grace and dominion belong to You. You have no partner). This is the same Talbiyah which the Prophet (peace be upon him) used to chant as has been narrated in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) and other books of Hadith.

36 - Scholars' disagreement regarding the desirability of the two Rak`ahs of Ihram

Q: Is it necessary to offer two Rak`ahs after wearing Ihram?

A: It is not a condition of Ihram to do that; however, scholars differed about its level of desirability. The majority of scholars see the desirability of offering two Rak`ahs, then to begin Talibiyah (Saying: Labbayka Allahumma Labbayk). They supported their view with the action of the Prophet (peace be upon him) that he entered into the state of Ihram after the Salah i.e. he offered the Zhuhr (noon) Prayer then entered into the state of Ihram during the Farewell Hajj. He (peace be upon him) said: ﴾Tonight, a messenger came to me from my Lord and said:

Offer Salah in this blessed valley and say `Umrah (lesser pilgrimage) is included in Hajj.﴿ This indicates the permissibility of offering the two Rak`ahs; which is the view of the majority of scholars. Others said that there is no text in this regard, so the saying: ﴾"Tonight a messenger came to me from my Lord and asked me to pray in this blessed valley."﴿ refers to the obligatory Salah in the five daily Salah and is not proof of offering the two Rak`ahs of Ihram. Being in the state of Ihram after performing the obligatory Salah does not indicate the obligation of offering two Rak`ahs for Ihram but it indicates that it is better for a pilgrim to assume the state of Ihram with `Umrah (the lesser pilgrimage) or Hajj after Salah.

37- The ruling on a menstruating woman offering the two Rak`ahs of Ihram or touching the Mus-haf

Q: How would a menstruating woman offer the two Raka'has (units of Prayer) of Ihram (ritual state for Hajj and `Umrah)? Should a menstruating woman recite verses of Qura'n subvocally?

A: 1- A menstruating woman is prohibited to offer the two Raka'h's of Ihram. She should assume the state of Ihram without offering these two Rak`ahs which are only a Sunnah (coomendable act) according to the view held by Jumhur (dominant majority of scholars). However, some scholars

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hold the view that these two Rak`ahs are not Mustahab (desirable) as there exists no textual evidence to support offering them. The Jumhur base their view on the Hadith in which the Prophet (peace be upon him) is reported to have said: (A messenger came to me from my Lord and asked me to pray in this blessed valley and to assume Ihram for Hajj and `Umrah together.) The blessed valley refers to Al-`Aqiq Valley where in the Farewell Hajj the Prophet (peace be upon him) offered these two Rk`ahs of Ihram. Some Sahabah (Companions of the Prophet) also reported that he offered Salah then assumed Ihram. Accordingly, the Jumhur are of the view that it is Mustahab to assume Ihram after offering an obligatory or supererogatory Salah. A woman who is menstruating or a woman who has just given birth are not allowed to offer Salah and may thus, assume Ihram without offering Salah first. They do not have to make up for these two Rak`ahs of Ihram after they become ritually pure.

2- It is permissible for a menstruating woman to recite the Qur'an from memory without touching the Mus-haf (Arabic Qur'an). This is the most correct view held by scholars. Scholars unanimously agree that she is allowed to recite the Qur'an in her heart [subvocally. Ed.]. They disagreed over whether she can recite out loud the Qur'an or not. Some scholars are of the opinion that it is Haram (prohibited) for her to recite the Qur'an out loud. They included the prohibition of out loud and subvocal recitation of the Qur'an, and touching the Mus-haf (Arabic Qur'an) among the rulings related to menstruation and postpartum bleeding. Other scholars are of the view that she can recite the Qur'an from memory without touching the Mus-haf. They support their view with the fact that the period of menstruation and postpartum bleeding may last for a long time and that there exists no texual evidence prohibiting this. This is not the case with a Junub (in a state of major ritual impurity) who is not allowed to recite the Qur'an in any way until they have performed Ghusl (ritual bath following major ritual impurity) or Tayammum (dry ablution) if they are incapable of performing Ghusl. This is the preponderant opinion.

Intention is made in the heart

Q: Should the intention of Ihram (ritual state for Hajj and `Umrah) be pronounced? How should it be declared if a pilgrim is performing Hajj on behalf of another person?

A: The place of intention is the heart, and it is established by the person intending by the heart to perform Hajj for themselves or others such as their brother, so and so or the son of so and so. It is also Mustahab (desirable) to say along with this: "Labbayk Allahumma Hajj on behalf of so and so or the son of so and so." (Here I am, O Allah for Hajj on behalf of so and so or the son of so and so) to confirm their intention. The Messenger (peace be upon him) pronounced Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) in both Hajj and `Umrah, therefore, this shows that it is valid to do so out of following him (peace be upon him). The Sahabah (Companions of the Prophet) used to do this as well, according to what the Prophet (peace be upon him) taught them to do; they even used to pronounce it out loud. This is the Sunnah (supererogatory act of worship following the example of the Prophet). However, if a person refrains from doing this and settles for establishing the intention in the heart only, this is sufficient. Afterwards, they should perform the rituals of Hajj just like a pilgrim does for themselves; they may pronounce Talbiyah without mentioning the name of so and so as if they are doing it for themselves, but

if a pilgrim names a person in Hajj or Umrah, regarding Talbiyah; it is better to continue to pronounce it like other pilgrims, saying: Labbayka Allahumma labbayk, labbayka la sharika laka labbayk. Inna al-hamd wal-ni`mata laka wal-mulk, la sharika lak (Here I am, O Allah! Here I am. Here I am. You have no partner. Verily, all praise and blessings are Yours, and all sovereignty. You have no partner. Here I am, the Deity of Truth, here I am". What is meant is that a person should offer Talbiyah for themselves without mentioning any one except in the beginning of the rituals, for they should say then: Labbayk Allahumma Hajj, `Umrah or both on behalf of so and so. This is the best with regard to the first thing to do when intending to start Ihram.

39- Child's intention as a prerequisite for Hajj

Q: Is a child's intention to perform Hajj a prerequisite for its validity?

A: If the child is under seven, they will not be required to have an intention for Hajj. Their Waliy (guardian) can make it on their behalf. The Waliy, whether a father or a mother, is also responsible for doing the rituals of Hajj on behalf of their child. It was authentically narrated that ﴾A woman lifted up a young boy to the Prophet (peace be upon him) in the Farewell Pilgrimage and said: "Would this child be credited with having performed Hajj?" Thereupon, he said: "Yes, and you will have a reward."﴿ Jabir (may Allah be pleased with him) also narrated: ﴾"We recited Talbiyah on behalf of the boys and threw the pebbles (at the Jamarat) on their behalf also."﴿

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In case the child is older than seven, his Waliy should teach him how to have an intention and to perform other Hajj rituals.

40- Stipulating a condition on forming the intention for Ihram

Q: A Muhrim (pilgrim in the ritual state for Hajj and `Umrah) forgot to say, "If something prevents me (from completing Hajj) I will exit ihraam at the point where I am prevented (from continuing)" after Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah). Is it permissible for him to say it at a time after entering the state of Ihram?

A: It is not allowed for him to do so as this is to be said at the time of entering the state of Ihram, i.e. the time a pilgrim forms the intention to enter Ihram.

Q: When assuming the state of Ihram, I forgot to say: "Labayka `Umrah mutamati`an biha ila al-Hajj illa in habasani habis (Oh Allah! Here I come to perform Tamattu` Hajj [combining Hajj and `Umrah with a break in between] unless something prevents me [from fulfilling it]). What is the ruling on that? May Allah reward you with the best!

A: It is sufficient to make the intention for Ihram by heart [i.e. without articulating it], and such a person should continue to perform all the rituals of Hajj. Then, if he is afflicted with a disease, he should either continue [the Hajj] even if while being carried, or wait until the excuse is removed (until he makes a recovery). If, upon entering into the state of Ihram, he says, "If

anything holds me from that, it is there that I will end my Ihram," and then he falls sick or is prevented from completing his Hajj due to some reason or another, he is (legally) excused to make Tahalul (remove the state of Ihram). For, it is authentically reported that the Prophet (peace be upon him) said to Duba`ah bint Al-Zubayr: (Perform Hajj and stipulate that the place where Allah holds you is where you will remove Ihram.) If he does not say so when entering into Ihram, he should continue what he has made Ihram for, be it Hajj or `Umrah, except if he is a Muhsar (a person in a state of Ihsar i.e. one being blocked from performing Hajj or `Umrah after entering the ritual state for Hajj and `Umrah), whose rulings are well known.

41- Uttering the intention to perform Hajj or `Umrah out loud

Q: What is your opinion regarding someone who claims it is impermissible to to utter the intention to perform Hajj or `Umrah (lesser pilgrimage) out loud, claiming that there is no evidence to support this?

A: Although uttering out loud the intention to do a certain act of worship is not Mashru` (Islamically acceptable) because of lack of evidence supporting it, it is Mustahab (desirable) to make the intention to perform Hajj or `Umrah in an audible voice, saying: "labbayka hajjah, or labbayka `Umratan, or labbayka `Umratan wa hajjan (O Allah! Here I am at Your service to perform Hajj, or O Allah! Here I am at Your service to perform `Umrah, or O Allah! Here I am at Your service to perform `Umrah and Hajj). It is preferable for the pilgrim who arrives in Makkah

during the months of Hajj to form the intention to perform `Umrah only. In this case, he will perform Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shave or cut the hair and finally perform Tahalul (removal of the ritual state for `Umrah). On the eighth of Dhul-Hijjah, he may form the intention to perform Hajj if he does not bring Hady (sacrificial animal offered by pilgrims) along with him. This is because the Prophet (peace be upon him) ordered his Sahabah (Companions) to do that in the year of the Farewell Pilgrimage and he (peace be upon him) said: ﴾Take your Hajj rituals from me.﴿

42- Talbiyah is a stressed Sunnah and nothing is required of a pilgrim who forgets it

Q: After assuming Ihram (ritual state for Hajj and `Umrah), a pilgrim forgot to say: labbayka `umrah mutamatti`an biha ila al-hajj (O Allah! Here I am at Your service to combine Hajj and `Umrah with a break in between). Should he proceed with the Hajj rituals? What will be required of him if he makes Tahalul (removal of the ritual state for `Umrah) from `Umrah (lesser pilgrimage) and then assumes the state of Ihram for Hajj at Makkah?

A: If he has intended to perform `Umrah at the time he assumes Ihram, yet forgets to say the words of intention, he will be considered as having said it. He may then make Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shave or cut his hair and finally make Tahalul. It is prescribed that he continues chanting Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) all his way to the Haram (the Sacred Mosque in Makkah). If he does not chant Talbiyah,

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nothing will be required of him because Talbiyah is a stressed Sunnah. In case he intends to perform Hajj at the time of Ihram and there is still plenty of time, he may preferably change his intention into performing `Umrah in which he makes Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shortens his hair and finally makes Tahalul. He will hold the same ruling applied to those who perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between).

Q: Is Talbiyah Sunnah or Wajib?

A: Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) is a stressed Sunnah (supererogatory act of worship following the example of the Prophet)/. It means I respond to Your command O Allah.

43 - Delaying Talbiyah until one ends Ihram

Q: I made Ihram (ritual state for Hajj and `Umrah; clothing worn during the ritual state for Hajj and `Umrah) for Hajj (Pilgrimage), but I did not start pronouncing Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) for Ihram. Please keep in mind that I am a resident of Makkah. Am I obligated to offer any Kaffarah (expiation) for this?

A: There is no blame on you, because pronouncing Talbiyah is a Sunnah (a commendable act). Thus, if someone starts Ihram for Hajj or `Umrah (Minor Pilgrimage), whether they are residents of Makkah or not, it is ordained for them to pronounce Talbiyah, as the Prophet (peace be upon him) used to pronounce it. However, if someone does not

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pronounce Talbiyah or delays it, this does not incur any harm, because pronouncing Talbiyah is a verbal Sunnah, and the obligation is to make intention within one's heart to perform the rituals of Hajj or `Umrah or both and then pronounce Talbiyah. This is the best way. One should pronounce this intention by saying: "Allahumma Labbaika Hajj (Here I am O Allah to perform Pilgrimage)", or saying: "Allahumma Labbaika `Umrah (Here I am O Allah to perform Minor Pilgrimage)" or by saying: "Allahumma Labbaika `Umrah wa Hajj (Here I am O Allah to perform Minor Pilgrimage and Pilgrimage)" while entering the state of Ihram at the time of riding the car or any other means of transportation. It is reported that when the Prophet (peace be upon him) rode his camel he used to declare his intention of Ihram. Nevertheless, the heart is the most important element in making the intention for Ihram. Thus, if someone makes the intention within their heart for `Umrah or for Hajj, this will count as Ihram for `Umrah or Hajj, although it is better to pronounce Talbiyah while making the intention by saying: "Allahumma Labbaika `Umrah (Here I am O Allah to perform Minor Pilgrimage)" if they intend to perform Tamattu' Hajj (combining Hajj and `Umrah with a break in between); or by saying: "Allahumma Labbaika Hajj (Here I am O Allah to perform Pilgrimage)" if they intend to perform Ifrad Hajj (performing Hajj only); or by saying: "Allahumma Labbaika `Umrah wa Hajj (Here I am O Allah to perform Minor Pilgrimage and Pilgrimage)" if they intends to perform Qiran Hajj (combining Hajj and `Umrah simultaneously). These formulas are to be pronounced while entering the state of Ihram with the intention from the Miqat (site for entering the ritual state for Hajj and `Umrah). On the other hand, if they are residents of Makkah then at the time of Hajj they should make Talbiyah for Hajj from their place of residence while going out to Mina by saying: "Allahumma Labaika Hajj (Here I am O Allah to perform Pilgrimage)." That is if they are residents of Makkah or from those who made Tahallul (removal of the ritual state for Hajj and `Umrah) therein.

44 - Talbiyah for Tamattu` while intending to make `Umrah only

Q: I arrived at the Miqat (site for entering the ritual state for Hajj and `Umrah) along with my family. I was the eldest in the group, and so, I was teaching them the rituals of Hajj. However, I forgot and said in the Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) : "Allahumma

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Labbaika `Umrah Mutamatti`an [Here I am O Allah to perform Minor Pilgrimage intending to perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between)]; whereas, we only wanted to perform `Umrah in Ramadan. I did not remember that until we reached the Sacred House. Please provide us with a beneficial answer. Should we stay in Makkah until we perform Hajj, or should we sacrifice an animal and go back to our home?

A: You are not required to do anything regarding what you have done, since this does not incur any harm. You only need to perform `Umrah for which you made Ihram (ritual state for Hajj and `Umrah), and you do not need to stay in Makkah until you perform Hajj and it is not incumbent upon you to sacrifice an animal. None of these things should be considered and there is no need for any specific action.

45- Is it permissible for someone who intends to perform their own Hajj to change their intention into performing it on behalf of one of their relatives?

Q: A man intended to perform his own Hajj for the second time, then, as was he was standing in `Arafah, he thought of changing his intention to performing it on behalf of one of his relatives. Is he allowed to do that?

A: Once a person intends to perform his own Hajj by assuming the state of Ihram (ritual state for Hajj and `Umrah), he will not be allowed to

change his intention on his way to `Arafah or when standing on it. He will be required to complete the rituals of his own Hajj and will not be permitted to change his intention into performing it on behalf of his parents or any one else. It becomes incumbent upon him to proceed with the rituals of his own Hajj. This is based on the Ayah (Qur'anic verse) which reads: ﴿And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴾ In case he assumes the state of Ihram for Hajj on behalf of someone else, he will not be permitted to change his intention. This same ruling applies to `Umrah (lesser pilgrimage).

46- The ruling on forgetting the name of the person on whose behalf Hajj is performed

Q: A man who performed Hajj on behalf of a woman happened to forget her name at the time of assuming the state of Ihram (ritual state for Hajj and `Umrah). What was he supposed to do?

A: If a person forgets the name of the person on whose behalf Hajj is performed, it will be sufficient if he just has the intention. He does not have to mention the name of that person at the time of assuming Ihram. For example, it is sufficient to intend that this Hajj is performed on behalf of the one who gave them the money. This is based on the Hadith in which the Messenger of Allah (peace be upon him) is reported to have said: (The reward of deeds depends upon the intentions.)

Q: What is the ruling on someone who performed Hajj on behalf of his mother without mentioning her name at the time of assuming Ihram (ritual state for Hajj and `Umrah)

A: The reward of this Hajj will be given to his mother as long as his intention was to perform Hajj on her behalf and regardless of his forgetting to mention her name at the time of assuming the state of Ihram (ritual state for Hajj and `Umrah). This is based on the Hadith in which the Messenger of Allah (peace be upon him) is reported to have said: (The reward of deeds depends upon the intentions.) If the person intends to perform Hajj on behalf of his mother, father or someone else, then at the time of assuming Ihram he happens to forget to mention their names, the reward of Hajj will given to those whom they intend to perform Hajj on their behalf.

Q: I intended to perform Hajj on behalf of my mother. As I reached the Miqat (site for entering the ritual state for Hajj and `Umrah), I assumed the state of Ihram (ritual state for Hajj and `Umrah) without mentioning her name. Will this Hajj be rewarded for my mother or for me, given the fact that I had already performed my own Hajj?

A: In sha'a-Allah (if Allah wills) this Hajj will be rewarded for your mother. There is no harm with your forgetting to mention the name of your mother at the time of assuming Ihram. The reason is that when you traveled to Makkah your intention was to perform Hajj on behalf of your mother. It was authentically reported that the Messenger of Allah (peace be upon him) said: (The reward of deeds depends upon the intentions and every person will have the reward according to what he has intended.) (Agreed upon by Al-Bukhari and Muslim).

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The ruling on a pilgrim who could not offer Hady because he lost his money

Q: What is the ruling on someone who assumed the state of Ihram (ritual state for Hajj and `Umrah) for Hajj and `Umrah (lesser pilgrimage) then after reaching Makkah he lost his money and therefore could not offer Hady (sacrificial animal offered by pilgrims)? This made him change his intention of performing Tamattu` Hajj (combining Hajj and `Umrah with a break in between) into performing Ifrad Hajj (performing Hajj only)? This man was supposed to perform Hajj on behalf of someone else who asked him to perform Tamattu` Hajj.

A: The person who performs Tamattu` Hajj is required to offer Hady even if he loses his money. If he is short of money, he can fast ten days; three observed during Hajj and seven upon returning home. He has to fulfill the condition of performing Tamattu` Hajj by completing the `Umrah's rituals of Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shortening his hair and Tahalul (removal of the ritual state for Hajj and `Umrah). Then, on the eighth Day of Duhl-Hijjah he starts to assume the state of Ihram for Hajj and offer Hady. If he is unable to offer Hady, he can fast three days before standing on `Arafah and seven more upon returning home. It is better that the pilgrim does not fast on the Day of `Arafah in order to be in accordance with the Prophet's (peace be upon him) conduct. The Prophet (peace be upon him) is reported to have not been fasting on the Day of `Arafah.

84- Changing from Ifrad Hajj to Qiran Hajj

Q: In some books of Hadith, it is reported that the person who performs Ifrad Hajj (performing Hajj only)

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is not allowed to change it into Qiran Hajj (combining Hajj and `Umrah simultaneously). How true is that?

A: The Messenger of Allah (peace be upon him) ordered pilgrims who intended to perform Ifrad and Qiran Hajj to change their intention into performing `Umrah (lesser pilgrimage). No one is permitted to argue about the Prophet's (peace be upon him) command. In the year of the Farewell Hajj, he commanded his Sahabah (Companions) to do so. Some of the Sahabah had intended to perform Qiran Hajj, others had intended to perform Ifrad Hajj, while others had intended to perform `Umrah. The Prophet (peace be upon him) had intended to perform Qiran Hajj as he brought Hady (sacrificial animal offered by pilgrims) with him. When they were close to Makkah, he ordered those who had intended to perform Qiran and Ifrad Hajj to perform `Umrah excluding those who brought Hady with them. When they entered Makkah where they completed the rituals of `Umrah by making Tawaf (circumambulation around the Ka`bah), and Sa`y (going between Safa and Marwah during Hajj and `Umrah), he ordered them to shorten their hair and make Tahalul (removal of the ritual state for `Umrah). Therefore, it is a Sunnah (commendable act) for pilgrims who intend to perform Ifrad or Qiran Hajj, when they do not have Hady with them, to follow the example of the Sahabah. This is done for the sake of facilitating things and removing hardship. On the eighth of Dhul-Hijjah they can assume Ihram for Hajj. It is obvious that the pilgrim may undergo great hardship by remaining in the state of Ihram from the fifteenth of Dhul-Qi`dah or the beginning of Dhul-Hijjah until the rituals of Hajj are finished.

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Therefore, pilgrims should accept this concession from Allah (may He be Praised). Allah alone grants success.

49- Tamattu` Hajj is preferable for those who have no Hady with them

Q: Which is better: Tamattu` Hajj (combining Hajj and `Umrah with a break in between) or Qiran Hajj (combining Hajj and `Umrah simultaneously)? If Tamattu` Hajj is better, how can we refute the claim that the Prophet (peace be upon him) performed Qiran Hajj? If Qiran Hajj is better, how can we refute the claim that the Prophet (peace be upon him) performed Tamattu` Hajj?

A: Tamattu` Hajj is the best type of Hajj because the Prophet (peace be upon him) ordered his Sahabah (Companions) to perform `Umrah by making Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah) and shortening their hair. The Messenger of Allah (peace be upon him) said: ("If I had not the Hady (sacrificial animal offered by pilgrims) with me, I would have come out of the state of Ihram.") Therefore, it is better for one who has a Hady with them to perform Qiran Hajj like the Prophet (peace be upon him) did. If a person does not have Hady with them,

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they are recommended to enter into the state of Ihram (ritual state for Hajj and `Umrah) for `Umrah thus, making Tawaf, Sa`y, having his hair shortened and making Tahalul (removal of the ritual state for `Umrah). On the eighth day of Dhul-Hijjah of the same year, they may enter into the state of Ihram for Hajj.

50- The people of Makkah can perform Qiran Hajj or Tamauttu` Hajj

Q: Are the people of Makkah required to offer Hady (sacrificial animal offered by pilgrims) if they happen to perform Ifrad Hajj (performing Hajj only)? Which type of Hajj are they allowed to perform: Tamattu` Hajj (combining Hajj and `Umrah with a break in between) or Qiran Hajj (combining Hajj and `Umrah simultaneously)? Please clarify this point along with quoting proofs.

A: It is permissible for the people of Makkah and others to perform Qiran or Tamattu` Hajj. However, the people of Makkah are not required to offer Hady (sacrificial animal offered by pilgrims) like other pilgrims who come to Makkah in a state of Ihram (ritual state for Hajj and `Umrah) for Hajj or `Umrah (lesser pilgrimage). This is based on the Ayah (Qur'anic verse) in which Allah (Exalted be He) says: ﴿and whosoever performs the 'Umrah in the months of Hajj before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford, but if he cannot afford it, he should observe Saum (fasts) three days during the Hajj and seven days after his return (to his home), making ten days in all. This is for him whose family is not present at Al-Masjid-Al-Harâm (i.e. non-resident of Makkah). And fear Allâh much and know that Allâh is Severe in punishment.﴾

Q: A brother asks: Why are the people of Makkah allowed to perform only Ifrad Hajj (performing Hajj only)?

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A: Hajj is an obligatory duty on every Muslim who is capable of doing it, whether they are from Makkah or any other Muslim country. This is based on Ijma` (consensus of scholars). `Umrah is also an obligatory duty upon all Muslims according to the most correct of the two views held by scholars. However, the people of Makkah are not required to offer Hady (sacrificial animal offered by pilgrims) for Tamattu` Hajj (combining Hajj and `Umrah with a break in between) or Qiran Hajj (combining Hajj and `Umrah simultaneously) if they happen to perform either of these two types. This is based on the Ayah (Qur'anic verse) in which Allah (may He be Praised) says: ﴾and whosoever performs the 'Umrah in the months of Hajj before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford, but if he cannot afford it, he should observe Saum (fasts) three days during the Hajj and seven days after his return (to his home), making ten days in all. This is for him whose family is not present at Al-Masjid-Al-Harâm (i.e. non-resident of Makkah). And fear Allâh much and know that Allâh is Severe in punishment.﴿ Allah alone grants success.

51- It is incorrect to claim that Ifrad Hajj has been abrogated

Q: Some people claim that both Qiran Hajj (combining Hajj and `Umrah simultaneously) and Ifrad Hajj (performing Hajj only) were abrogated when the Prophet (peace be upon him) commanded his Sahabah (Companions) to perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between). What is the opinion of Your Eminence regarding this claim?

A: This is a false and baseless claim. Scholars have unanimously agreed that there are three types of Hajj: Ifrad Hajj, Qiran Hajj and Tamattu` Hajj. In the Ifrad Hajj the person is not required to offer Fidyah (ransom). However,

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it is preferable to change the Ifrad Hajj into `Umrah (lesser pilgrimage) according to the most correct view held by scholars. This is because the Prophet (peace be upon him) ordered his Sahabah (Companions) who entered into the state of Ihram (ritual state for Hajj and `Umrah) for Ifrad or Qiran Hajj to change it into `Umrah in which they performed Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shortened their hair and made Tahalul (removal of the ritual state for `Umrah). The Prophet (peace be upon him) did not render their Ihram invalid. He only instructed them to do what is preferable. The Sahabah (may Allah be pleased with them) responded to the command of the Prophet (peace be upon him). This command of the Prophet (peace be upon him) can not be seen to have abrogated Ifrad Hajj. It has to be understood in the context that the Prophet (peace be upon him) was commanding his Sahabah to do what is better. Allah alone grants success.

52- Ruling on Tahalul

Q: Is Tahalul (removal of the ritual state for Hajj and `Umrah) Sunnah (supererogatory act of worship following the example of the Prophet) or Wajib (obligatory)?

A: It is a stressed Sunnah.

53 - Directing Ihram of Ifrad Hajj for `Umrah

Q: I came with a group to perform Hajj and I entered the state of Ihram (ritual state for Hajj and `Umrah) for Ifrad Hajj (performing Hajj only) and the group wanted to visit Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah). Am I allowed to go to Madinah

and then return to Makkah after a few days to perform `Umrah?

A: If someone performs Hajj in the company of a group but he performs Ihram for Ifrad Hajj and then travels with them to visit Al-Masjid Al-Nabawy in Madinah, it is prescribed that he direct his Ihram for `Umrah. He should make Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah), then make Tahallul (removal of the ritual state for Hajj and `Umrah) and then perform Ihram for Hajj on the eighth day of Dhul-Hijjah. By doing that the person will be performing Tamattu' Hajj (combining Hajj and `Umrah with a break in between) as the Prophet (peace be upon him) commanded his Companions who attended the Farewell Hajj with him and did not bring the sacrificial animal with them.

54- It is better for whoever comes without Hady to change Hajj to `Umrah

Q: What is the ruling on someone who intends to perform Ifrad Hajj (performing Hajj only), but after their arrival to Makkah they change their Ifrad Hajj to Tamattu' Hajj (combining Hajj and `Umrah with a break in between), and thus, they perform `Umrah (Minor Pilgrimage) and then makes Tahallul (ending the state of Ihram) from `Umrah? What should they offer as expiation? When should they perform Ihram for Hajj? And, from where should they start Ihram?

A: If someone enters the state of Ihram to perform Hajj only or Hajj and `Umrah together, it is better for them to change Ihram for Hajj into Ihram for `Umrah. This is what

the Prophet (peace be upon him) commanded his Companions to do when they came to perform Hajj and some of them performed Ihram for Qiran Hajj (combining Hajj and `Umrah simultaneously) and some of them performed Ihram for Ifrad Hajj and neither party brought the sacrificial animal with them. He (peace be upon him) commanded them to perform `Umrah, and thus, they performed Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) and then shortened their hair and ended the state of Ihram, with the exception of those who had brought sacrificial animals with them. Those Companions remained in the state of Ihram until they made Tahallul on the Day of `Eid-ul-Adha (10th of Dhul-Hijjah) from `Umrah if they performed Ihram for Qiran Hajj or from Hajj if they performed Ihram for Hajj only.

The point is that whoever comes to Makkah with Ihram for Hajj alone or for Hajj and `Umrah together during the months of Hajj and does not have the sacrificial animal, it is recommended for them to change Ihram for Hajj into Ihram for `Umrah. Thus, they should perform Tawaf and Sa`y, shorten hair and make Tahallul, and then perform Ihram for Hajj on the 8th of Dhul-Hijjah from their place of residence in Makkah or outside it. This will be considered Tamattu` Hajj, and accordingly, they should offer a sacrifice.

55- Qiran Hajj can not be changed into Ifrad Hajj

Q: Is it permissible for the person who is doing Qiran Hajj (combining Hajj and `Umrah simultaneously) to change his intention to Ifrad Hajj (performing Hajj only)? Are they required to offer Hady (sacrificial animal offered by pilgrims)?

A: It depends. If their intention before reaching the Miqat (site for entering the ritual state for Hajj and `Umrah) was to do Tamattu` Hajj (combining Hajj and `Umrah with a break in between), then after reaching the Miqat they change their intention to perform Ifrad Hajj (performing Hajj only), there will be nothing wrong with that and they do not have to offer the Hady (sacrificial animal offered by pilgrims) in that case. However, it is not permissible that they intend to do Qiran Hajj at the Miqat or somewhere before it, then change their intention into

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Ifrad Hajj. They are only allowed to change it into `Umrah. Qiran Hajj cannot be changed to Ifrad Hajj but it can be changed to 'Umrah for those who do not have Hady (sacrificial animal offered by pilgrims). This is what the Prophet (peace be upon him) commanded the Sahabah (Companions) who did not bring Hady with them in the Farewell Hajj. So, it is not permissible for a person who enters into the state of Ihram with the intention of doing Qiran Hajj at the Miqat to change it into Ifrad Hajj. Instead, they can change it to 'Umrah only, which is better for them. Accordingly, they can do Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shortens their hair and make Tahalul (removal of the ritual state for `Umrah). On the eighth day of Dhul-Hijjah they can intend to perform Hajj and in this way they will be doing Tamattu` Hajj.

56- The ruling on someone who intends

to perform Tamattu` Hajj then changed their mind and intended to perform Ifrad Hajj

Q: I intended to perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between), but when I came to Al-Ta'if, I changed my mind and decided to perform Ifrad Hajj (performing Hajj only). Is it permissible for me to offer Ud-hiyah (sacrificial animal offered by non-pilgrims) on the Eid-ul-Adha (the Festival of the Sacrifice), given the fact that I got my hair clipped on the fourth day of Dhul-Hijjah. I ask Allah to reward you well!

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A: There is nothing wrong if the pilgrim or non-pilgrim wants to sacrifice Ud-hiyah (sacrificial animal offered by non-pilgrims), no matter whether he has his hair clipped or shaved or his fingernails trimmed off. However, when the month of Dhul-Hijjah starts, he must avoid cutting his hair or trimming his fingernails until the Ud-hiyah (sacrificial animal offered by non-pilgrims) is offered. This is based on the Hadith in which the Prophet (peace be upon him) said: (When the first ten days of Dhul-Hijjah start and one of you wants to offer an Ud-hiyah, let him not cut anything of his hair or nails until he has sacrificed it.) (Narrated by Imam Muslim in his Sahih) There is nothing wrong with changing Tamattu` Hajj into Ifrad Hajj; however, the former type of Hajj is preferable if the pilgrim arrives at Makkah in the months of Hajj. In case they arrives at Makkah before the month of Shawwal starts, it will be preferable for him to enter into the state of Ihram (ritual state for Hajj and `Umrah) for `Umrah only.

57- Pilgrims who make Tahalul from `Umrah after having intended to perform Qiran Hajj

Q: What is the ruling on pilgrims who make Tahalul (removal of the ritual state for Hajj and `Umrah) from `Umrah (lesser pilgrimage) after having intended to perform Qiran Hajj (combining Hajj and `Umrah simultaneously)? Will they be considered as performing Tamattu` Hajj (combining Hajj and `Umrah with a break in between)?

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A: If a pilgrim intends to perform Qiran Hajj, then he changes his mind about it by making Tahalul from `Umrah after completing its rituals of Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah) and trimming his hair, he will be falling under the category of Tamattu` Hajj. In this case, he will be required to offer Dam (sacrificial animal offered in atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah).

58- Ihram for Tamattu' Hajj has a limited period

Q: Is performing Tamattu' Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between) limited to a definite period of time? Is it permissible for a pilgrim of this type to assume the state of Ihram (ritual state for Hajj and 'Umrah) for Hajj before the Day of Tarwiyah (8th of Dhul-Hijjah)?

A: Ihram for Tamattu' is limited to a definite period of two months and ten days, namely Shawwal, Dhul-Qa'dah and the first ten days of Dhul-Hijjah. These are the months of Hajj. Therefore, a pilgrim is not permitted to assume Ihram for Tamattu' Hajj before Shawwal or after the night of 'Eid-ul-Adha (the Festival of the Sacrifice). It is preferable for a pilgrim of this type to assume the state of Ihram for 'Umrah (lesser pilgrimage) only. After completing the rituals of 'Umrah, they assume the state of Ihram for Hajj only. This is the complete form of Tamattu'. If they assume Ihram for performing both Hajj and 'Umrah, they will be falling under the category of Mutamatti' (pilgrim performing Tamattu' Hajj) and Qarin (pilgrim performing Qiran Hajj [combining Hajj and `Umrah without a break in between]). In both cases the pilgrim will be required to offer Dam (sacrificial animal required of a pilgrim in atonement for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah), known as "Dam of Tamattu'", which is a sacrificial animal that fulfills the conditions for Ud-hiyah (sacrificial animal offered by non-pilgrims) or one seventh of a she-camel or a cow. This is based on the Ayah (Qur'anic verse) in which Allah (Exalted be He) says: ﴾Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford﴿ But if the pilgrim is unable to offer Dam, they have to fast ten days; three observed during Hajj and seven upon returning to their family.

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If the pilgrim assumes Ihram for 'Umrah at the beginning of Shawwal, and then performs Tahalul (removal of the ritual state for Hajj and 'Umrah) after finishing the 'Umrah, there will be a long period between the 'Umrah and assuming the state of Ihram for Hajj on the eighth of Dhul-Hijjah. Therefore, it is preferable for the pilgrim performing Tamattu' Hajj to assume Ihram for Hajj on the eighth of Dhul-Hijjah, as the Sahabah (Companions of the Prophet) did it according to the direction of the Prophet (peace be upon him). The Prophet (peace be upon him) directed them to remove their Ihram when some of them came with the intention of performing Ifrad Hajj (performing Hajj only) while others with the intention of Qiran Hajj (combining Hajj and 'Umrah simultaneously). The Prophet (peace be upon him) ordered both categories to remove their Ihram except those pilgrims who brought with them the Hady (sacrificial animal offered by pilgrims). So, they made Tawaf (circumambulation around the Ka'bah), Sa'y (going between Safa and Marwah during Hajj and 'Umrah), clipped their hair and then made Tahalul and by doing so they became Mutamatti's (pilgrims performing Tamattu' Hajj). When it was the Day of Tarwiyah (8th of Dhul-Hijjah), the Prophet (peace be upon him) ordered them to assume Ihram for Hajj from their places of sojourn, and this is the best. It is sufficient and valid, however, for the pilgrim to assume Ihram for Hajj on the first days of Dhul-Hijjah or before this. But it is preferable to assume Ihram for Hajj on the eighth of Dhul-Hijjah, as the Sahabah did in compliance with the command of the Prophet (peace be upon him).

Q: What is the specific time to perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between)? Is it permissible for a pilgrim performing Tamattu` Hajj to assume the state of Ihram (ritual state for Hajj and `Umrah) before the Day of Tarwiyah (8th of Dhul-Hijjah)?

A: After completing the `Umrah's rituals of Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), and trimming the hair, the person who performs Tamattu` Hajj is permitted to do things which he was prohibited to do while in the state of Ihram for `Umrah. Thus, it is permissible for him to have sexual relations with his wife,

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put on perfumes, dress up in Makhit (clothes sewn to fit body limbs) and so on. The `Umrah performed for Tamattu` Hajj has to be done after Ramadan. One who performs `Umrah during Ramadan and then assumes the state of Ihram for Hajj during the season does not fall under the category of those who perform Tamuttu Hajj. It is a Sunnah (commendable act) for those who perform it and others who made Tahalul (removal of the ritual state for `Umrah) from `Umrah in Makkah to start assuming the state of Ihram for Hajj on the eighth of Dhul-Hijjah. The Companions of the Prophet (peace be upon him) did the same at the command of the Prophet (peace be upon him).

59- Pilgrims performing Tamattu` Hajj are required to offer Fidyah

Q: His Eminence Shaykh! What is your opinion regarding someone who performs `Umrah (lesser pilgrimage) in the blessed month of Ramadan and then intends to perform Hajj in the same year? Is he required to offer Fidyah (ransom)? What are the best rituals of Hajj?

A: Someone who performs `Umrah in Ramadan then enters into the state of Ihram (ritual state for Hajj and `Umrah) for Ifrad Hajj (performing Hajj only) in the same year will not be required to offer Fidyah (ransom) which is only required of the person who performs Tamattu` Hajj (combining Hajj and `Umrah with a break in between). This is based on the Ayah (Qur'anic verse) in which Allah (may He be Praised) says: ﴾Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford﴿ The person who performs `Umrah in Ramadan then assumes the state of Ihram for Hajj during Hajj season is not considered as performing Tamattu` Hajj. Pilgrims who fall under the category of performing Tamauttu` Hajj

are those who perform `Umrah during the months of Hajj (Shawwal-Dhul-Qi`dah and the first ten day of Dhul-Hijjah) then enter into the state of Ihram for Hajj of the same year or combine Hajj with `Umrah. It is this category of pilgrims who are required to offer the Fidyah.

It is preferable for those who want to perform Hajj to precede it with performing `Umrah completing its rituals of Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), trimming their hair and Tahalul (removal of the ritual state for `Umrah). Then, they can enter into the state of Ihram for Hajj, preferably on the eighth of Dhul-Hijjah of the same year. This is what the Prophet (peace be upon him) commanded his Companions (may Allah be pleased with them) to do in the Farewell Hajj.

The pilgrim who performs Tamattu` Hajj is required to make Tawaf and Sa`y in the same manner as for `Umrah. According to the view held by most of the Muslim scholars, Sa`y made in `Umrah can not make up for that of Hajj. This is the correct view which is supported by authentic Hadiths narrated from the Messenger of Allah (peace be upon him).

Q: A person fasted in Makkah and remained there until the time of Hajj but he might travel to Jeddah and return to Makkah during that time. Is it incumbent upon him to offer Fidyah (ransom)?

A: If he did not offer `Umrah (Lesser pilgrimage) after Ramadan and performed Hajj in that year, he is not asked for Hady (sacrificial animal offered by pilgrims) owing to the fact that he did not observe Tamattu` Hajj (combining Hajj and `Umrah with a break in between).

60- Ruling on a person who performed 'Umrah at the end of Shawwal then returned with the intention of performing Ifrad Hajj

Q: I performed 'Umrah (lesser pilgrimage) at the end of Shawwal then returned with the intention of performing Ifrad Hajj (Hajj only). Please inform me if I am thus considered a Mutamatti' (pilgrim performing `Umrah during the months of Hajj, followed by Hajj in the same year with a break in between) and consequently do I have to offer a Hady (sacrificial animal offered by pilgrims) or not?

A: If a person performed 'Umrah in Shawwal or Dhul-Qa'dah then returned home then came back with the intention to perform Ifrad Hajj, their Hajj according to the Jumhur (dominant majority of scholars) is not considered as Tamattu' Hajj and the concerned pilgrim is not required to offer Hady, because they had returned home then came back for Ifrad Hajj (performing Hajj only). This is the reported view of 'Umar and his son (may Allah be pleased with them), which is the opinion of the Jumhur. However, Ibn 'Abbas was of the view that such a person is regarded as a Mutamatti' (pilgrim performing Tamattu' Hajj) and consequently must offer Hady because they combined between Hajj and 'Umrah during the months of Hajj in the same year. But the Jumhur say that if the pilgrim returns home, or as some of the scholars say travels for a distance over which it is permissible to shorten Salah (Prayers), then comes back for Ifrad Hajj, they are not to be considered as performing Tamattu' Hajj. It seems to us - and Allah knows best - that the preponderant opinion is the one stated by 'Umar and his son (may Allah be pleased with them both) i.e., once a person returns home, they are not considered performing Tamattu' Hajj and they do not have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah).

As for the case of a person who travels to perform Hajj but they make 'Umrah first then stay in Jeddah or Al-Ta'if where they are not resident, then assume the state of Ihram (ritual state for Hajj and 'Umrah) for Hajj; this still remains under the category of Mutamatti'. Their going out to Al-Ta'if, Jeddah or Madinah does not remove them from the category of Mutamatti'. This is because, in this case, the pilgrim comes initially to perform both Hajj and 'Umrah but they travel to Jeddah or Al-Ta'if for a certain need. The same applies to whoever travels to Madinah to visit Al-Masjid Al-Nabawy (the Prophet's Mosque); their Hajj remains Tamattu' Hajj and they have to offer Hady for their Tamattu' according to the more obviously correct and preponderant opinion. They also have to perform Sa'y (going between Safa and Marwah during Hajj and 'Umrah) for their Hajj as they have done for their 'Umrah.

61- Ruling on Tamattu` Hajj of one who returns to their homeland

Q: If a person comes, for example, from Riyadh intending to perform `Umrah (lesser pilgrimage) then returns to Riyadh; then leaves again for Hajj, is this considered a Tamattu` Hajj (combining Hajj and `Umrah with a break in between)?

A: This issue needs to be discussed in detail. If one, for example, comes from Riyadh, Madinah, or Al-Ta'if intending to perform `Umrah (lesser pilgrimage) and makes Tawaf (circumambulation around the Ka`bah), Sa`i (going between Safa and Marwah during Hajj and `Umrah), shortens the hair, removes Ihram (clothing worn during the ritual state for Hajj and `Umrah), and returns to home, i.e. Al-Ta'if, Riyadh, etc.; then comes back intending Hajj; it will be considered Ifrad Hajj (performing Hajj only). Accordingly, one is not required to

offer Hady (sacrificial animal offered by pilgrims). One has only to perform the rites of Hajj upon reaching Makkah. This includes making seven rounds of Tawaf (circumambulation around the Ka`bah), praying two Rak`ahs (units of Prayer) at Maqam Ibrahim (the Station of Ibrahim) or as close to it as possible inside the Masjid (mosque), then to make Sa`y (going between Safa and Marwah during Hajj and `Umrah) seven times. This Tawaf is regarded as Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah) while the Sa`y referred to earlier is counted as that of Hajj. The pilgrim is to remain in Ihram (ceremonial state for Hajj and `Umrah) then proceed to Mina and `Arafat. After coming back from `Arafat and Muzdalifah, the pilgrim is not required to do any thing except Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) as the first Sa`y is sufficient. However, if the pilgrim goes to Mina directly without going to Makkah then goes to `Arafat, he or she must perform both Tawaf and Sa`y after leaving `Arafat and Muzdalifah, i.e. Tawaf and Sa`y of Hajj.

Q: As I intend to perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between), is it permissible for me to perform `Umrah (lesser pilgrimage) in Shawwal, then return to my family and come back again to Makkah to perform Hajj?

A: There is no harm if one performs `Umrah in Shawwal, returns to his or her family, then comes back to Makkah to perform Hajj. According to the view held by Jumhur (dominant majority of scholars), in this case one will be regarded as performing Ifrad Hajj (performing Hajj only). They will not be considered as performing Tamattu` Hajj; therefore no Hady (sacrificial animal offered by pilgrims) is required from them. According to the view held by Ibn `Abbas, they will be regarded as performing Tamattu` Hajj even if they return to their family after performing `Umrah.

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It is better that they consider themselves as performing Tamattu` Hajj Tamattu` Hajj (combining Hajj and `Umrah with a break in between) in which case they will have to offer Hady. If after they return from home they perform another `Umrah, make Tahalul (removal of the ceremonial state for `Umrah) and then remain in Makkah until they perform Hajj, in this case they will be considered as performing Tamattu` Hajj. Moreover, according to the view held by the dominant majority of Muslim scholars, it is the second and not the first `Umrah for which they are considered to be performing Tamattu` Hajj.

62- A person who performs Tamattu` Hajj may go to Jeddah and the similar cities and remain in Tamattu` Hajj

Q: If one goes to Makkah during the months of Hajj intending to make a Tamattu` Hajj (combining Hajj and `Umrah with a break in between); is it permissible for them to go to Jeddah after Tahalul (removal of the ceremonial state for `Umrah)? If they do so, are they no longer required to offer Hady (sacrificial animal offered by pilgrims) for Tamattu`? If they are still required to offer the Hady, is Jeddah then considered the urban area of Al-Masjid Al-Haram (the Sacred Mosque in Makkah)? If so, is it Wajib (obligatory) for the pilgrim who goes there after Tahalul then returns to perform Hajj without offering Hady to offer Fidyah (ransom) of another sacrificial animal?

A: It is permissible for a person who performs a Tamattu` Hajj to go to Jeddah or any other city after Tahalul (removal of the ritual state for Hajj and `Umrah) from `Umrah if there is a need to do so. However, offering Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) is required for their Tamattu` Hajj (combining Hajj and `Umrah with a break in between)

if one comes to Makkah with the intention for Hajj. The is based on the fact that when the Messenger of Allah (peace be upon him) and his Companions (may Allah be pleased with them) traveled to

Makkah for the Farewell Hajj, he (peace be upon him) commanded those amongst the Companions who did not bring the Hady with them to make Tahalul and offer Hady without forbidding them to go outside the Haram (areas within the Sacred Precincts of Makkah). In other words, the Prophet (peace be upon him) did not tell his Companions that whoever went outside the Haram would not be required to offer Hady. Had this been the case, the Prophet (peace be upon him) would have explained it, because going outside the Haram must have occurred as the number of pilgrims who accompanied the Prophet (peace be upon him) on the Farewell Hajj was huge and they had many different needs. Since the Prophet (peace be upon him) did not declare that whoever went outside the Haram would not be required to offer Hady of Tamattu` Hajj, it is known that when pilgrims go to Jeddah, etc.; they are still in the state of Tamattu` Hajj. On the other hand, some scholars are of the view that when a person who performs Tamattu` Hajj goes outside Makkah for a distance wherein one may shorten Salah (Prayer), for example, Jeddah, Ta'if, etc.; they are no longer in Tamattu` Hajj, and are not required to offer the Hady. Therefore, their Hajj is considered Ifrad Hajj (performing Hajj only). Hence, the first view is correct because the pilgrim is still required to offer the Hady, as it is mentioned earlier and also because of the general meaning of Allah's Saying: ﴾Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford﴿ In fact, I do not know any Shar`y (Islamic legal) evidence to support this opinion. However, it is narrated that `Umar ibn Al-Khattab and his son (may Allah be pleased with them both) were of the view that whoever returned to their homeland after the Tahalul of `Umrah and then returned to Makkah intending to make Hajj only; is not required to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah). This view of `Umar and his son (may Allah be pleased with them both) is mentioned by Abu Muhammad ibn Hazm and other scholars and seems convincing, especially that it is the view of the Rightly-Guided Caliph `Umar ibn Al-Khattab (may Allah be pleased with him). However, it is related

from Ibn `Abbas (may Allah be pleased with them both) that whoever makes `Umrah during the months of Hajj then performs Hajj in the same year must offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah), whether they travel to their homeland or not. Nevertheless, view of the dominant majority of Muslim scholars conforms to that of `Umar and his son (may Allah be pleased with them both); a view that perhaps specifies the generality of the Noble Ayah (Qur'anic verse) quoted above. This is to be differentiated from whomever comes to Makkah intending to perform Tamattu` Hajj then goes to Jeddah for a need and does not return to his home. May Allah grant us help!

As for considering Jeddah as an urban area of Al-Masjid Al-Haram, were we to hold the opinion that whoever goes there is still required to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) of Tamattu` Hajj; this is not correct as there is no relation between not being required to offer Hady and defining the urban areas of Al-Masjid Al-Haram.

In conclusion, the pilgrim who goes to Jeddah then comes back and performs Hajj without offering Hady; needs not sacrifice any animal other than that of the Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) of Tamattu` Hajj (combining Hajj and `Umrah with a break in between). They must offer Tawbah (repentance to Allah) and Istighfar (seeking forgiveness from Allah) for delaying offering their Hady. There is no valid evidence to the effect that whoever does not offer the Hady until the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) come to an end must slaughter an additional animal. Since discharging the responsibility is the basic premise, this opinion is not to be acted upon unless there is a valid evidence to support.

Q: I donned Ihram (ceremonial state for Hajj and `Umrah) with the intention of offering Tamattu` Hajj (combining Hajj and `Umrah with a break in between). Then, after I performed

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`Umrah I traveled to Jeddah. If I return to perform Hajj, will it be considered Tamattu` Hajj?

A: The correct view is that traveling does not nullify the state of Tamatu`. Based on this view, if one comes to Makkah after Ramadan to offer Tamattu` Hajj and enters into Ihram (ceremonial state for Hajj and `Umrah) for `Umrah (lesser Pilgrimage) with the intention to offer Hajj and after completing `Umrah travels to Al-Ta'if or Jeddah for some need; according to the correct view, one remains in the state of Tamatu`.

However, some scholars are of the opinion that if one travels a distance that requires shortening the Prayers then returns to Makkah to offer Hajj, Tamatu` is cancelled and one is to offer Hajj only. The soundest and most convincing view, in sha'a-Allah (if Allah wills), is that going on a journey and the like between `Umrah and Hajj do not entail shifting to offering Hajj only. One remains in the state of Tamatu` unless he or she returns to their homeland and then returns with the intention of performing Hajj only. In this case, one can offer it and is not required to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah). This is the opinion of some scholars and it reported from `Umar ibn Al-Khattab and his son (may Allah be pleased with them both). May Allah grant us success!

Q: In 1403 A.H., i was living in Riyadh, and in Shawwal 1403 A.H. I went to Jeddah, where I set out to perform 'Umrah (lesser pilgrimage). I then returned to Jeddah and stayed there until the Hajj season of that same year. I performed Hajj then returned to Riyadh, after completing both Hajj and 'Umrah.

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Later that year, a brother told me that performing Hajj and 'Umrah in that way is considered Qiran (combining Hajj and 'Umrah simultaneously) and that I must slaughter a sacrificial animal. Is this correct? Please advise me and may Allah reward you with the best!

A: Many scholars say that when a pilgrim performs Tamattu' Hajj (combining Hajj and 'Umrah with a break in between) and travels between them to Jeddah, Madinah, or Ta'if, and then enters Ihram (ritual state for Hajj) from Jeddah or from the Miqat (site for entering the ritual state for Hajj and 'Umrah) of Madinah - if they traveled to Madinah - or from the Miqat of Ta'if - if they traveled to Ta'if - the obligation of a Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah) for Tamattu' will be removed from them. Other scholars said that the obligation of a Dam is not removed, and that, as this traveling does not end the state of Tamattu', they are therefore required to offer a Hady (sacrificial animal offered by pilgrims). This is the preponderant opinion. Allah (Glorified and Exalted be He) said: ﴾Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford﴿ The general meaning of the Hadith on this subject also support this opinion. With Allah is the success!

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Q: To His Eminence, Shaykh 'Abdul-'Aziz ibn 'Abdullah ibn Baz, Grand Mufty (Islamic scholar qualified to issue legal opinions) of the Kingdom of Saudi Arabia (may Allah protect him).

As-salamu 'alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

A Muslim from China asked me to ask Your Eminence for a Fatwa (legal opinion issued by a qualified Muslim scholar) about a matter related to the obligation of Hajj. He told me that he left his country to go to the Kingdom of Saudi Arabia, with the intention of performing Tamattu' Hajj (combining Hajj and 'Umrah with a break in between). He entered Ihram (ritual state for Hajj and 'Umrah) from the Miqat (site for entering the ritual state for Hajj and 'Umrah) and reached Jeddah during the beginning of Dhul-Hijjah. He then traveled with a group of Muslims to Makkah Al-Mukarramah, where he performed Tawaf (circumambulation around the Ka'bah), Sa'y (going between Safa and Marwah during Hajj and 'Umrah), shaved his head, and removed his Ihram for 'Umrah. The next day, he went to Ta'if to visit some of his relatives for the day. He returned to Makkah Al-Mukarramah, reentered Ihram, and completed his Hajj. After performing Tawaf-ul-Wada' (circumambulation around the Ka'bah on leaving Makkah) he went back to his country. Did he perform the duty of Hajj perfectly as required or does he have to offer a Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah) as he left Makkah Al-Mukarramah to go to Ta'if, before completing all the rituals of Hajj? Please advise us and may Allah protect you! As-salamu 'alaykum warahmatullah wabarakatuh

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A: Wa alaykum as-salam warahmatullah wabarakatuh

If the reality was as you mentioned, there is nothing on him for his visit to Ta'if, but he is required to offer a Hady (sacrificial animal offered by pilgrims) of Tamattu' and slaughter it for the poor in the Haram (all areas within the Sacred Sanctuary of Makkah), if he has not already done so. May Allah guide everyone to what pleases Him! As-salamu 'alaykum warahmatullah wabarakatuh!

63-Traveling to Madinah does not remove the obligation of offering Hady from the pilgrim performing Tamattu' Hajj

Q: Some Muslims perform 'Umrah (lesser pilgrimage) in Shawwal, and then go to Madinah for a visit. After this, they perform Ifrad Hajj (performing Hajj only) without offering a Hady (sacrificial animal offered by pilgrims).

A: It is obligatory on everyone who performs 'Umrah in Shawwal, Dhul-Qa'dah, or the first ten days of Dhul-Hijjah and then enters Ihram (ritual state for Hajj and 'Umrah) to perform Ifrad Hajj (performing Hajj only), whether from the Miqat (site for entering the ritual state for Hajj and 'Umrah) for Madinah or any other place, or from Makkah, to offer a Hady for Tamattu' Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between). The Hady should either be one sheep or goat, or one-seventh of a camel or a cow, which fulfills the conditions for an Ud-hiyah (sacrificial animal offered by non-pilgrims). This is because they are under the ruling of Tamattu' Hajj. Allah (may He be Praised) says: ﴿Then if you are in safety and whosoever performs the 'Umrah in the months of Hajj, before (performing) the Hajj, (i.e. Hajj-at-Tamattu' and Al-Qirân), he must slaughter a Hady such as he can afford.﴾

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The obligation of Hady is not removed by traveling to Madinah, according to the more correct of the two opinions held by the scholars. The exception is if the pilgrim returns to their own country, and then comes back to perform Ifrad Hajj, in this case they do not have to do anything.

Q: does performing 'Umrah (lesser pilgrimage) during the months of Hajj, in dhul-Qa'dah, and then traveling from Makkah to Madinah and staying there until the time for Hajj, oblige a pilgrim to perform Tamattu' Hajj (combining Hajj and 'Umrah with a break in between) or are they free to intend other forms of Hajj? Please advise us and may Allah reward you with the best!

A: The correct opinion is that a Muslim remains under the ruling for Tamattu' if they have performed 'Umrah during the months of Hajj, and they then travel to Madinah for a visit, and return in Ihram (ritual state for Hajj and 'Umrah) to perform Hajj. They are considered as performing Tamattu' Hajj, according to the preponderant opinion of scholars, and should offer a Hady (sacrificial animal offered by pilgrims) of Tamattu'. The same ruling applies if they travel to Ta'if, Jeddah, or any other place - other than their own country - and then return in Ihram for Hajj; they are under the ruling for Tamattu', according the preponderant opinion. If they traveled back to their family and stayed with them, and then returned in Ihram for Hajj, they would be considered as performing Ifrad Hajj (performing Hajj only), not Tamattu', according to the preponderant opinion, and they would not be required to offer a Hady, if they went back to their family. This was reported from Ibn 'Umar and his father (may Allah be pleased with both of them). It is also the opinion of the scholars.

Q: someone performed 'Umrah (lesser pilgrimage) during the months of Hajj, in Dhul-Qa'idah, and then went from Makkah to Madinah, where they stayed until the time for Hajj. Are they obliged to perform Tamattu' Hajj (combining Hajj and 'Umrah with a break in between) or may they choose between the three types of Hajj?

A: They are obliged to perform Tamattu' Hajj. If they want to perform another 'Umrah to be performing by it Tamattu' Hajj, according to the opinion of some scholars who say that the first Tamattu' ends with the traveling, there is nothing wrong in doing this, as they will be considered as performing Tamattu' by their new 'Umrah. All scholars agree that they are required to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah) if they perform 'Umrah after coming from Madinah and then follow it with Hajj, as this is considered as Tamattu' by all. If they want to return to perform Hajj only, the scholars differ as to whether they are required to offer a Hady or not. The correct opinion is that they are required to offer a Hady, because traveling to Madinah does not end the state of Tamattu', according to the most correct opinion of the scholars.

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Chapter on the Violations of Ihram

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64-Nine violations for a Muhrim to avoid

Q: What are the matters that are obligatory for a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to avoid?

A: A Muhrim should avoid nine matters that violate their Ihram (ritual state for Hajj and 'Umrah), according to the scholars. They are: cutting the hair or nails, wearing perfume, wearing Makhit (clothes sewn to fit body limbs), covering the head, killing game, conjugal intercourse, concluding marriage contracts, and touching their spouse with desire. All these things are forbidden to a Muhrim, until they perform Tahalul (removal of the ritual state for Hajj and 'Umrah). After the first Tahalul, they are permitted to do them all except having conjugal intercourse, which becomes permissible after completion of the second Tahalul.

Ruling on knowingly removing hair after entering Ihram

Q: A man entered Ihram (ritual state for Hajj and 'Umrah) for 'Umrah (lesser pilgrimage) and later, when he remembered that it was obligatory on him to shave his underarm hair, he shaved it. He then went to perform 'Umrah. Would you please clarify the ruling on this and may Allah reward you!

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A: It is not Wajib (obligatory) on a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to shave or pluck their underarm hair, it is Mustahab (desirable) to pluck or remove it with a ritually pure method before assuming Ihram (ritual state for Hajj and 'Umrah). It is also Mustahab to trim the moustache, cut the nails, and shave the pubic hair if necessary. It is not necessary to do these things upon entering Ihram; in fact it would be enough to do so at home or on the way, before assuming Ihram.

This man does not have to do anything for shaving his underarm hair, because he was ignorant of the Shar'y (Islamic legal) ruling on it. The same applies to any Muhrim who does any of the things we mentioned due to forgetfulness, after entering the state of Ihram. Allah (Glorified and Exalted be He) says: (Our Lord! Punish us not if we forget or fall into error) It was authentically reported that the Prophet (peace be upon him) told that Allah (may He be Praised) answered this supplication.

Ruling on combing hair

Q: What is the ruling on combing hair gently for a male Muhrim (pilgrim in the ritual state for Hajj and 'Umrah)? Is it forbidden?

Q: A male Muhrim should not comb his hair. If he scratches his head or

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skin gently, this is not a problem, but it is not permissible for a man in Ihram to comb his hair in such a way that some of it is cut, or to cut his nails or skin. That is because once a Muslim man assumes Ihram, he should not cut his hair or nails, wear perfume, cover his head with a turban or anything similar, cover his body with a Qamis (long shirt) or other sewn clothing, or kill the game - all these acts are not permissible for a male Muhrim. He should also not conclude a marriage contract, offer marriage to a woman, or contract a marriage for his female relative while in Ihram. Conjugal intercourse, touching and kissing one's spouse, and the like, are also forbidden until major Tahalul (final removal of the ritual state for Hajj and 'Umrah). All these things are forbidden to do after assuming Ihram.

Q: I performed Hajj with my son and assumed Ihram (ritual state for Hajj and 'Umrah) from Ta'if. We entered Makkah at the time for the Zhuhr (Noon) Prayer and remained there until the Maghrib (Sunset) Prayer. My son forced me to return to Ta'if and we spent the night there. We returned to Makkah the next morning, but we did not assume a new Ihram, instead we satisfied ourselves with our initial Ihram and entered Al-Haram Al-Makky (all areas within the Sacred Sanctuary of Makkah) that day to perform Tawaf-ul-Qudum (circumambulation around the Ka'bah on arrival in Makkah) and Sa'y (going between Safa and Marwah during Hajj and 'Umrah). We spent that night in Makkah, and then went to Mina, where we stayed for two days and one night. Before leaving Mina on the second night, we took a bath and combed our hair, but we did not change our clothes - my clothes, by the way, were black. I then completed my Hajj in the same way as all the Muslims. What is the Islamic ruling on entering Makkah without a new Ihram and keeping the Ihram that we had assumed

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previously and on what we did in Mina, when we took a bath, combed our hair, and wore black in Ihram?

A: You do not have to do anything - all praise be to Allah - as your initial Ihram remained and was valid. Going to Ta'if is something that you should not have done, as it was unnecessary. However, you do not have to do anything due to this, because you left before completing your Hajj while in Ihram, so there was no harm in this. Also, the Tawaf and Sa'y that you performed after returning to Makkah and then moving to Mina to complete the rituals of Hajj were acceptable. As for combing your hair, even if some of it is cut, this is a matter which needs to be detailed: if you were ignorant of the ruling or did so due to forgetfulness, nothing is required of you. If you knew that it is not permissible to cut hair [while in Ihram] and you did so deliberately while combing it, you should perform one of the three options below:

1. Both of you perform Sawm (Fasting) for three days.

2. Feeding six Miskins (needy people) each with a half of Sa' (1 Sa' = 2.172 kg) of dates, rice, or the staple food of your country.

3. Both of you slaughter a sheep that fulfills the conditions for an Ud-hiyah (sacrificial animal offered by non-pilgrims). This ruling applies if you did these things deliberately knowing they are not permissible. However, if some of your hair is cut while you are combing it, due to ignorance or forgetfulness, you do not have to do anything, as stated above; likewise, if you just combed and did not cut your hair.

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There is no problem in men or women wearing black clothes, but it is obligatory that each has to wear gender-appropriate clothes, so they do not imitate one another in way of dressing.

67-Ruling on hair falling from the head of a Muhrim

Q: What should a woman in Ihram (ritual state for Hajj and 'Umrah) do if a hair falls out accidently?

A: It is not a problem for a male or female Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) if some of their hair falls out during Wudu' (ablution) or when washing it. It is also not a problem if some hairs from a man's beard or moustache fall out, or some of their nail comes off, as long as it does not happen on purpose. However, it is proscribed to cut hair or nails deliberately while in Ihram. Likewise, a woman should also not deliberately cut anything from her hair or nails, but if any hair falls out accidently during movement of the head, these are dead hairs and there is no problem with this.

68-Ruling on a Muhrim removing dry skin

Q: Is the removal of extra skin from the lips considered a violation of Ihram (ritual state for Hajj and 'Umrah) - the extra being dry skin?

A: A Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) or the Muslim who has decided to offer an Ud-hiyah (sacrificial animal offered by non-pilgrims) should not remove any of their skin or hair. They should not remove anything from the skin on their face, legs, hands, or any part of their body, until the Muhrim performs the minor Tahalul (partial ending of the ritual state for Hajj or 'Umrah through shaving the head and throwing pebbles at Jamrat-ul-'Aqabah before performing Tawaf-ul-Ifadah) and the person intending to offer an Ud-hiyah slaughters. According to the most correct opinion of the scholars, these things become prohibited only to the person who will offer the Ud-hiyah on their behalf or on behalf of themselves and their family after the start of the tenth of Dhul-Hijjah until they slaughter the sacrifice. This does not apply to their household; it only applies to the person offering the Ud-hiyah, who paid for it, from the time they intend to sacrifice after the start of the month until they slaughter it. As for someone who is slaughtering as a Wakil (legally accountable person who acts on behalf of another for a specific permissible matter), such as an executor, Waqf (endowment) administrator, or the like, none of these things are forbidden to them, because they are not the ones who are actually offering the Ud-hiyah, but they are just acting on behalf of other people. With Allah is the success.

69. criteria for a man in Ihram to be covering his head

A: What are the criteria for a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to be covering his head? For example, if he carries his luggage on his head, will that be considered as a covering?

A: Carrying luggage on the head is not considered as a prohibited type of covering, as long as it is not done deceptively. The prohibited form of covering is to cover the head with what is normally put on it, such as turbans and caps, or a Rida' (garment worn around the upper part of the body) or a cloak, or anything similar. Carrying luggage or food on the head is not forbidden for a Muhrim, provided that it is not done as a ploy. Allah (may He be Praised) forbade His Servants from trickery to do what has been declared as Haram (prohibited). With Allah is the success!

Q: is it permissible for a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to use an umbrella, due to heat of the sun, if it does not touch his head?

A: There is nothing wrong with a Muhrim using an umbrella to protect himself against

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heat of the sun, in the same way as he can take shade under a tent or his car's roof. May Allah grant everyone success!

Q: Your Eminence, Shaykh, i wore a cap while i was Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) in Hajj last year, but I did not know the ruling. Do I have to pay a Fidyah (ransom) for this? If so, and I cannot afford it, what should I do? May Allah reward you with the best!

A: In the Name of Allah and all praise be to Allah! If you wore a cap or Ghutrah (a traditional cotton headdress worn by men in some Arab countries) on your head, because you were ignorant of or forgot the ruling, you do not have to do anything; all praise be to Allah.

Q: What is the ruling on putting wet clothes on the head in 'Arafah due to the severe heat?

A: You will have to pay the Fidyah (ransom) that is explained by the Prophet (peace be upon him) in a Hadith related on the authority of Ka'b ibn 'Ujrah (may Allah be pleased with him). The Fidyah is performed as follows: Performing Sawm (Fasting) for three days; feeding six Miskins (needy people) each with half a Sa' (1 Sa' = 2.172 kg) of dates or other food, such as barley, rice, or corn, and this is about 1.5 kg; or slaughtering a sheep that fulfills the conditions for an Ud-hiyah (sacrificial animal offered by non-pilgrims) and distributing the meat among the Miskins of the Haram (all areas within the Sacred Sanctuary of Makkah). This is because you did not take the clothes off your head after your son had put them on you.

70. Ruling on a Muhrim wearing a mask

Q: Are the masks that doctors wear on their noses and mouths during their work considered to come under the ruling of covering the face for a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah)? Please advise us and may Allah reward you with the best!

A: Yes they do. A Muhrim cannot wear these masks; it is not permissible, because they cover around half of the face. The Messenger (peace be upon him) said, ("Do not cover his face or head.") referring to a Muhrim whose camel had broken his neck.

17. determining the Makhit among the Muhrim clothes

Q: What are the criteria for the Makhit (clothes sewn to fit body limbs) that male Muhrims (pilgrims in ritual state for Hajj and 'Umrah) should not wear? Is it permissible for them to wear the pants that are usually worn these days under their Ihram (clothing worn during the ritual state for Hajj and 'Umrah)?

A: It is not permissible for a Muhrim on Hajj or 'Umrah (lesser pilgrimage) to wear pants or any other sewn clothes on his whole body, or the upper part, such as an undershirt, or on the bottom part, such as trousers. (When the Prophet

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(peace be upon him) was asked what a Muhrim should wear, he (peace be upon him) said, "He should not wear a Qamis (long shirt), or turbans, or pants, or burnooses (hooded cloaks), or Khuffs (leather socks), except for someone who could not find any sandals, he can wear Khuffs, but he should cut them short below the ankles.") (Agreed upon by Al-Bukhari and Muslim and reported on the authority of Ibn 'Umar [may Allah be pleased with them both]) Based on this, the questioner will know what is meant by the Makhit that is forbidden for male Muhrims. The Hadith makes it clear that Makhit refers to any clothes that are sewn or tailored to fit the whole body, such as Qamis, or the upper part, such as undershirts, or the bottom part, such as pants. Also, clothes that are tailored or sewn to fit the hands and the feet, such as gloves and Khuffs, are also forbidden to a Muhrim. However, it is permissible for a male Muhrim to wear Khuffs, in the absence of sandals and it is not necessary to cut them, according to the correct opinion of scholars, as it was authentically reported on the authority of Ibn 'Abbas (may Allah be pleased with them both) that one day, the Prophet (peace be upon him) delivered a Khutbah (sermon) to the people at 'Arafat during the Farewell Hajj, and said, ("Anyone who cannot find an Izar (garment worn below the waist) can wear pants and anyone who cannot find sandals can wear Khuffs.") (Agreed upon by Al-Bukhari and Muslim)

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He (peace be upon him) did not order them to cut them, which shows the Naskh (abrogation) of the previous order mentioned in the Hadith of Ibn 'Umar (may Allah be pleased with them both). That is because the Hadith of Ibn 'Umar (may Allah be pleased with them both), in which the cutting was mentioned, was an earlier one than the one that ordered wearing Khuffs without cutting, and that was said during the Prophet's Khutbah on the Day of 'Arafah which occurred later. With Allah is the success!

72. Permissibility of sewing the Ihram garment if it is torn

Q: Is it permissible for a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to sew his Ihram (clothing worn during the ritual state for Hajj and 'Umrah) if it gets torn because of a fall on the ground?

A: It is permissible for a Muhrim to either sew or replace his Ihram garment if he wishes; it is a matter open to choice, all praise be to Allah! The Makhit (clothes sewn to fit body limbs) that is forbidden refers to clothes that fit the body, such as a Qamis (long shirt), undershirt, or the like. As for the stitches found on the Izar (garment worn below the waist) or the Rida' (garment worn around the upper part of the body), for being made up of two pieces or more, sewn together to join the separate parts, there nothing wrong with that; likewise, there is no harm in sewing or patching an Ihram garment that gets torn or has holes in it.

Q: When a male or a female muhrim (pilgrim in the ritual state for Hajj and 'Umrah) wears sandals or socks, whether knowingly or due to ignorance or forgetfulness, will their Ihram (ritual state for Hajj and 'Umrah) be invalidated due to this?

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A: The Sunnah (action following the example of the Prophet) is that a man should wear sandals in Ihram, because the Prophet (peace be upon him) said, ("One of you should assume Ihram in an Izar (lower garment), a Rida' (upper garment), and sandals.") It is preferable for a Muslim man to assume Ihram wearing sandals to protect his feet against thorns, scorching heat, and the cold. If he does not assume Ihram wearing sandals, this is not a problem. If he does not have any sandals, it is permissible to assume Ihram wearing Khuffs (leather socks), although the scholars differ as to whether he should cut them below the ankles or not. It was authentically reported that the Prophet (peace be upon him) said, ("Anyone who cannot find sandals can wear Khuffs, but he should cut them short below the ankles.") In the Khutbah (sermon) delivered during the Farewell Hajj in 'Arafat, the Prophet (peace be upon him) ordered those who had not found any sandals to wear Khuffs, but he (peace be upon him) did not order them to cut them. As a result, the scholars have differed on this issue: some said that the first order of cutting the Khuffs is Mansukh (an abrogated text), so they may be worn without cutting.

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Others said that it is not Mansukh, but it is Mandub (recommended) not Wajib (obligatory), based on the evidence that the Prophet (peace be upon him) remained silent on it at 'Arafat. The preponderant opinion - In sha'a-Allah (if Allah wills) - is that the order of cutting is Mansukh, as the Prophet (peace be upon him) delivered this Khutbah to the people at 'Arafat, and it was attended by many people who came from the towns and the desert, and they did not attend the Khutbah in Madinah, during which the order of cutting was given. Had cutting been Wajib or prescribed, he (peace be upon him) would have explained this to the Ummah (nation based on one creed). As the Prophet (peace be upon him) was silent on this at 'Arafat, this shows that it is Mansukh and that Allah (Glorified and Exalted be He) pardoned and excused the Servants from the cutting that would spoil the Khuffs.

A Muslim woman is free to wear sandals or socks, because her whole body is considered as 'Awrah (private parts that must be covered in public), but she is forbidden from two things: wearing a Niqab (face veil) or gloves. The Messenger (peace be upon him) (Forbade women Muhrims from wearing them, saying, "A woman in Ihram should not wear a Niqab or gloves.") Niqab refers to a face veil that covers the face, such as a Burqu', and so a woman in Ihram should not wear these face covers. Nevertheless, it is obligatory on a woman to cover her face with whatever she likes in presence of non-Mahram (not a spouse or an unmarriageable relative), as her face is part of her 'Awrah. When she is far from men, she can uncover her face. It is not permissible for her to veil her face with the Niqab or Burqu', and it is not permissible for her to wear gloves, as they are shaped to fit the hands, so a female or male Muhrim does not wear them. A woman only covers her hands and face when necessary, without a Niqab or gloves. It was authentically narrated (on the authority of 'Aishah (may

Allah be pleased with her) that she said, "Riders would pass by us when we were with the Messenger of Allah (peace be upon him) in Ihram.

When they came alongside us, each of us would lower her Jilbab (loose outer garment) from her head over her face, and when they had passed us, we would uncover it (our face).") With Allah is the success!

73. Ruling on staying at 'Arafah wearing Makhit

Q: Dear Shaykh, may Allah benefit us and the Muslims from your knowledge. My bosses from work prevented me from assuming Ihram (ritual state for Hajj and 'Umrah), and I had come here to the Kingdom of Saudi Arabia to work for them. A Shaykh gave me a Fatwa (legal opinion issued by a qualified Muslim scholar) that I may go and stand in 'Arafah wearing Makhit (clothes sewn to fit body limbs). Do I have to do anything for doing this? Was my Hajj valid? I cannot slaughter a sacrifice as Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah), for I am traveling to my country. How many days should I observe Sawm (fasting) here and what am I required to do when I return to my country?

A: If your employers did not give you permission to perform Hajj, you should not have assumed Ihram; but if they did permit you to, there is nothing wrong with this. If you are employed by someone and working for them, you cannot perform Hajj without their permission, because you are obligated to work for them as a hired employee.

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So you should fulfill your agreement with them, as Muslims must abide by the conditions they agree to. Allah says: ﴾Fulfil (your) obligations﴿ If they gave you permission to perform Hajj, this is no problem, you could perform it as all Muslims do, so you should have uncovered your head, worn an Izar (garment worn below the waist) and a Rida' (garment worn around the upper part of the body), and not worn Makhit. If you performed Hajj without your employers' permission, although your Hajj was valid, your action is considered as sinful, as you disobeyed your Lord by doing so, because you did not fulfill some of their rights, unless they gave you permission. If you performed Hajj wearing a turban or Makhit, you should perform a Kaffarah (expiation) and Tawbah (repentance to Allah). The Kaffarah is to feed six Miskins (needy people), perform Sawm for three days, or slaughter a sheep for covering your head. A similar Kaffarah should be performed for wearing Makhit, i.e. feed six Miskins, each with half a Sa', about 1.5 kg, perform Sawm for three days, or slaughter a sheep that fulfills the conditions for an Ud-hiyah (sacrificial animal offered by non-pilgrims) and then distribute its meat among the poor people of the Haram (all areas within the Sacred Sanctuary of Makkah). One Kaffarah is to be performed for wearing Makhit and another for covering your head. May Allah guide us, you, and the Muslims!

74. Ruling on a man who traveled to carry out an urgent task and took off clothing for Ihram after he had assumed Ihram

Q: A man put the clothing on for Ihram (ritual state for Hajj and 'Umrah) after performing Ghusl (a ritual bath) and wearing perfume.

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He was then called to travel to carry out an urgent task. So he took off the clothing for Ihram. What should he do?

A: This question needs to be answered in detail. If the man in question assumed Ihram to start performing the rituals of Hajj or 'Umrah after having worn the clothing for Ihram, i.e., he had made the intention to start performing Hajj or 'Umrah, and then he retracted this and took off the clothing for Ihram to carry out that urgent task, this man is still a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah). He has to put the clothing for Ihram back on and go to Makkah to complete the rituals of Hajj or 'Umrah as soon as he knows this Shar'y (Islamic legal) ruling. If he did that out of ignorance, he is not required to perform a Kaffarah (expiation). However, if he took off the clothing for Ihram without having made the intention to start performing the rituals of Hajj or 'Umrah, but just wore it in preparation for that, and then he took it off to carry out the task, before intending to start the rituals of Hajj or 'Umrah, he does not have to do anything. This is because, in this case, when he took the clothing off, he was not considered as a Muhrim. And Allah knows best!

75- There is no harm in wearing belts while in the state of Ihram

Q: What is the ruling on a Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah) wearing a belt to keep his money safe; is it permissible to do so or is it considered

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a sort of Makhit (clothes sewn to fit body limbs) which is not permissible to wear?

A: There is no harm in wearing belts and the like, such as waistbands and handkerchiefs which are used to keep money and other important things. May Allah grant us success!

76- The ruling on a Muhrim wearing a watch

Q: What is the ruling on wearing a watch for the Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah)?

A: There is no harm, in sha'a-Allah (if Allah wills), in wearing a watch in the same way as wearing a ring.

77- The ruling on applying perfumes to the clothing of a Muhrim

Q: What is the ruling on applying perfumes to the clothing of a Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah) before making the intention and starting Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah)?

A: It is not permissible for the Muhrim to apply perfumes to the Rida' (garment worn around the upper part of the body(and Izar (garment worn below the waist).

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The Sunnah (supererogatory act of worship following the example of the Prophet) is to apply perfumes to the body itself such as his head, beard, underarms, etc. As for the clothes, one should not apply perfumes to them because of the Prophet's (peace be upon him) said: ﴾Do not wear clothes touched by Saffron or Wers (two kinds of perfumes)﴿ The Sunnah Sunnah (supererogatory act of worship following the example of the Prophet) is to apply perfume to the body only. However, Muhrim (pilgrim in the ritual state for Hajj and `Umrah) should not apply perfumes to Ihram (clothing worn during the ritual state for Hajj and `Umrah). Yet, if he did so, then he should not wear it until he washes or changes it.

78- The ruling on a Muhrim using soap

Q: What is the ruling on the Muhrim's (pilgrim in the ceremonial state for Hajj and `Umrah) washing their hands with scented soap, such as Lux, during Ihram (ceremonial state for Hajj and `Umrah)?

A: There is no harm in doing so, in sha'a-Allah (if Allah wills), because it is not called a perfume and its user is not actually applying perfume. However, it will be much better if a Muhrim uses odorless soap, as a matter of piety. This is because the Prophet's (peace be upon him): (Leave what causes you doubt and turn to what does not cause you doubt.)

Q: Is it permissible for a Muhrim to use scented soap?

A: According to the most likely sound view, and Allah knows best, is that the Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah) is allowed to use the good smelling soap, called "Al-Mumsik" [the musk-bearing. Ed.]. Yet, it will be much better if he gives up doing so, out of piety, because of the strong fragrance such soap emits. In addition, if a Muhrim uses it to remove dirt, grease, and the like, there is no harm in doing so because it cannot be considered as applying perfumes. Yet, if a Muhrim uses this soap, he is not required to offer Fidyah (ransom) and I see no harm in so doing.

Q: What is the ruling on using soap or detergent while in the state of Ihram? If there is any due compensation, is it permissible for one's brother to slaughter it on one's behalf or can one slaughter it in another country?

A: There is no harm in using soap or other substances when washing the hair, even if one is a Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah). If the soap contains fragrance such as the musk-bearing soap, it is safer to leave it. Using it is not considered as applying perfume. Therefore, there is no compensation (offering a sacrificial animal) when using soap or other materials. The ruling on those who apply perfume is not applicable in this case. However, giving up

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scented soap which emits a fragrance is safer and better for a believer. If compensation (offering a sacrificial animal) is due, it is to be slaughtered in Al-Haram (the Sacred Precincts) which are the places of offering sacrifices and given to the needy who live within Al-Haram. If a Muhrim commits a violation outside Al-Haram, a sacrificial animal should be slaughtered where the violation was committed even if it is outside Al-Haram. If the violation occurs within Al-Haram, their compensation is to be slaughtered inside Al-Haram. Similarly, hunting within the Sacred Precincts demands compensation of slaughtering within Al-Haram if its expiation requires other than Sawm (Fast). Slaughtering and feeding shall be for the needy and the poor of Al-Haram. May Allah grant us success!

Q: A woman in the state of Ihram drank coffee mixed with saffron before completing `Umrah; is saffron a kind of perfume, and does it violate `Umrah or not?

A: A Muhrim (pilgrim in the ceremonial state for Hajj and `Umrah) who drinks coffee mixed with saffron has done wrong because saffron is a kind of perfume. So, a Muhrim should not use saffron in coffee. In addition, a Muhrim should not also put saffron on his clothes or body while in Ihram (ritual state for Hajj and `Umrah). When a Muhrim does so, out of ignorance or forgetfulness, no compensation is due upon him. Yet, if he does it intentionally during the state of Ihram (ritual state for Hajj and `Umrah), while they are aware that doing so is prohibited and impermissible, then one must feed six needy persons. He must offer to each needy person the amount of

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half a Sa` (1 Sa` = 2.172 kg) of fresh dates or barely, fast for three days, or slaughter a sheep, as it is the case when wearing of Makhit (sewn clothes)intentionally, or applying perfume to one's body, clothes, or head. This is a Kaffarah (expiation) also due for trimming the nails or shortening the hair intentionally. If this is done out of one's forgetfulness or ignorance of the ruling, then there is nothing due upon them.

79- The ruling on having sexual relations with one's spouse prior to first or minor Tahalul

Q: Is it incumbent upon the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) to repeat Hajj if he or she has sexual relations before the termination of the the minor Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving the head and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah) bearing in mind the it is a voluntary Hajj?

A: When a Muhrim have sex before the first Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving the head and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah), the Hajj becomes invalid and must be completed, then repeated even if the Hajj is voluntary. This is comes in accordance with the view of the Companions of the Prophet (peace be upon him). A Muhrim who does so must slaughter a Badanah (a camel or a cow or an ox driven to be offered as a sacrifice by the pilgrims at the sanctuary of Makkah) and distribute its meat among the poor in Makkah. May Allah grant us help!

80- The ruling on having sexual intercourse before Tawaf Al-Ifadah

From `Abdul-`Aziz ibn `Abdullah ibn Baz to the honorable brother 'A.D., may Allah grant him success!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

I recieved your kind letter dated 1/1/1394 A.H. May Allah guide you with His Guidance! I perused the letter which contained condolences for our loss of His Eminence Shaykh Muhammad Al-Amin Al-Shinqity (may Allah be merciful with him). I ask Allah to answer your supplication, relieve the calamity on all Muslims, bestow mercy and blessings upon him, reconcile the condition of his offspring and compensate Muslims with the best successor, for He is the Most Generous!

Q: What is the ruling on a woman who traveled to Al-Khamis district before performing Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)? Is it permissible for her husband to have sexual intercourse with her?

A: She must return back to Makkah immediately and perform Tawaf-ul-Ifadah, if she is able to do so because it is one of the pillars of Hajj. If she entered into the state of Ihram Ihram (ritual state for Hajj and `Umrah) to perform `Umrah (lesser pilgrimage) at the Miqat (stations from which to start Hajj and `Umrah), this will be much better. Yet, she has to circumambulate around the Ka`bah for `Umrah, perform Sa`y (going between Safa and Marwah) then perform Tawaf for her previous Hajj, then shorten her hair and come into Tahalul (removal of the ritual state for Hajj and `Umrah). However, if she performed Tawaf (circumambulation around the Ka`bah) for Hajj first

and delayed Tawaf for `Umrah as well as her Sa`y, there is no harm. It is not permissible for her husband to have sexual inetrcourse with her until she performs Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj). This is because sexual intercourse is not permissible except after the total termination of Hajj, which is not fulfilled except after Tawaf and Sa`y for those who missed Sa`y, throwing pebbles for Jamrat-ul-`Aqabah (the closest stone pillar to Makkah), shaving or shortening the hair.

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Someone came to me and mentioned that he entered into the state of Ihram to perform Hajj from Jeddah in 1407 A.H. After leaving `Arafat, he continued walking to Mina and did not spend the night in Muzdalifah. Then he refused to proceed Hajj, took off Ihram clothing, went to his wife and had sex with her. He asked me about the legal ruling on such acts. I pointed out to him that doing so is Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect) and he must repent to Allah because it is not permissible for those who enter into the state of Ihram for Hajj or `Umrah to refuse to complete its rites; except the Muhsir (one who is excused from performing one of the rites of Hajj). Allah (Exalted be He) says: ﴾And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴿

I explained to him that his Hajj has become null by his having sexual intercourse with his wife and must offer a five to seven years old sheep which will be distributed among the poor in Makkah. He has also to offer a sacrifice for not throwing the pebbles, and another sacrifice for not spending the night in Muzdalifah, and a third one for not spending the night in Mina. He must perform Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah), shave or shorten his hair with the intention of performing his previous Hajj which will be sufficient for him, rather than performing Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah). If he stayed in Makkah after Tawaf and Sa`y, he has to perform Tawaf-ul-Wada` when he sets out for Jeddah In addition, he has to perform another Hajj instead of the invalid Hajj and will be sufficient for the obligatory Hajj prescribed in Islam.

We ask Allah to confer upon us and him the sincere repentance and forgive

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us as well as all Muslims!

Reported and dictated by Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz, General Chairman of the Departments of Scholarly Research, Ifta', Daw`ah, and Guidance. May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Q: What is the ruling on a man who had sexual intercourse with his wife before Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)? Should he terminate his Ihram (ceremonial state for Hajj and `Umrah)? May Allah reward you well!

A: If a pilgrim has sexual intercourse with his wife before Tawaf (circumambulation around the Ka`bah), he has committed a mistake and has to repent to Allah. He must offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) in Makkah and distribute it among the poor. In this way, he should not terminate Ihram. Rather, he must repent to Allah, pay Fidyah (ransom), perform Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah) if one did not perform Sa`y and was performing Qiran Hajj (combining Hajj and `Umrah simultaneously) or Ifrad Hajj (performing Hajj only). In the case of Tamattu` Hajj (combining Hajj and `Umrah with a break in between), one has to perform the first Sa`y for `Umrah then a second Sa`y after Tawaf for his Hajj.

Praise be to Allah, Lord of Worlds! May peace and blessings be upon Allah's Messenger (peace be upon him)!

His Eminence Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz, may Allah protect and safeguard you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

I traveled from the eastern region (Al-Ahsa') to Makkah Al-Mukarramah during the vacation of the blessed month of Ramadan. I considered it a great opportunity to offer `Umrah (lesser Pilgrimage) in Ramadan along with my family. We donned Ihram (ceremonial state for Hajj and `Umrah) from the Miqat (station for entering the ceremonial state for Hajj and `Umrah) and then proceeded to Al-Haram Al-Makky (the sacred Mosque in Makkah). Afterwards, we offered Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah), but in the second round of Sa`y my wife informed me that she felt her menses had begun and that she had felt some discharge prior to entering Al-Haram. I did not make sure that this is true. Yet, we found out later that she actually had some bleeding. I took her immediately to one of the gates of Al-Haram and asked one of the shaykhs there. He told me that

she was not allowed to complete Sa`y and that I should complete my `Umrah. He advised that I enquire further as to whether there was Kaffarah (expiation) incumbent on me or not. That took place at 8:00 am. After completing the `Umrah, I went to the Fatwa Headquarter located in Al-Haram where I found none to ask. One of the present persons told me that there is no one herein. As a result, I took my family back to my country and stayed there till the end of vacation. Then I returned to

the eastern region. Upon my arrival, I asked one of the shaykhs about this issue. He told me that my wife was still in the state of Ihram (ritual state for Hajj and `Umrah) and she has to complete her `Umrah. I hope that Your Eminence inform me about the legal ruling in this regard taking into consideration that my wife has performed Ghusl (ritual bath following major ritual impurity), had sexual intercourse with me, combed her hair and trimmed her fingernails.

Is it incumbent upon her to offer Kaffarah (expiation)? Or does the discharging of blood turn the Ihram (ritual state for Hajj and `Umrah) invalid? Is it correct that she must complete `Umah or that `Umrah was counted for as she intended to offer `Umrah but she cannot control menstrual discharge? Moreover, if it is obligatory on her to complete `Umrah, I must mention that I cannot not take her to Makkah at the present time owing to my work and remoteness of Makkah from the area where I live. I hope that Your Eminence will elaborate on the legal ruling in this regard. May Allah protect and safeguard you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

If the case is as mentioned in your question, you should know that your wife is still in the state of Ihram (ritual state for Hajj and `Umrah) and you are not allowed to have intercourse with her till she goes to Makkah and offers Tawaf (circumambulation around the Ka`bah), Sa`y (going between Safa and Marwah during Hajj and `Umrah) and shortens her hair. Once this is fulfilled, her `Umrah is completed. Moreover, if you have had sexual intercourse with her during this period, she is required to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) which she slaughters and distributes among the poor in Makkah. The sacrificed animal can be

Jadh` (a four-year-old sheep) or a two-year old goat which is sufficient for Ud-hiyah (sacrificial animal offered by non-pilgrims). Also, both of you are required to repent to Allah and ask His Forgiveness. Further your wife must offer another `Umrah starting from the Miqat (site for entering the ritual state for Hajj and `Umrah), in place of this `Umrah which was invalidated by having sexual intercourse. We ask Allah to guide everyone and accept your repentance! I exhort you to pay more attention to religious matters and to hasten to ask scholars about anything that seems unclear to you. May Allah to grant success and guidance to all Muslims!

In conclusion, your wife is required to complete her `Umrah by offering Tawaf, Sa`y and shortening her hair. Afterwards, she has to offer another `Umrah starting from the Miqat (site for entering the ritual state for Hajj and `Umrah) if you had sexual intercourse with her, as well as the offering the mentioned above Fidyah (rasnsom). As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

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His Eminence Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz, **may Allah protect him!**

As-salamu `alaikum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!):

My question is: I have been married for two years now, and we have a daughter. My wife informed me that she performed the rites of `Umrah with her family, and performed Tawaf (circumambulation around the Ka`bah) while having her menses. Our respected Shaykh! After she informed me about this, I submitted a request for Fatwa (legal opinion issued by a qualified scholar) to His Eminence Shaykh Salih ibn Furaijj at the governorate of `Afif so as to discharge her responsibility and whether she is sinful or not. The shaykh - may Allah reward him well - answered that she should repeat the `Umrah again. It is worth mentioning that she performed this `Umrah four years prior to our marriage. His Eminence Shaykh `Abdul-`Aziz ibn Baz, we came to Your Eminence to make sure of this issue and to request your Fatwa for answering this question. May Allah protect, safeguard and guide your footsteps! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

If the case is in fact as you have mentioned, she must go to Makkah to perform Tawaf, Sa`y (going between Safa and Marwah during Hajj and `Umrah) for her `Umrah and shorten her hair. She must also offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) to be slaughtered in Makkah and distributed among the poor for you having sexual intercourse with her while in the state of Ihram (ritual state for Hajj and `Umrah) and prior to Tahalul (removal of the ritual state for Hajj and `Umrah). This is because

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Tawaf while menstuating is invalid and she must repeat `Umrah starting from the Miqat (station for entering the ritual state for Hajj and `Umrah), since the first one was nullified by engaging in sexual intercourse. Therefore, the rites of the first `Umrah, namely Tawaf, Sa`y, and cutting the hair should be fulfilled. Afterwards, she has to perform another `Umrah starting from the Miqat as declared by some of the Companions of the Prophet (peace be upon him). Furthermore, It is not permissible for you to have sexual relations with her until the marriage contract is renewed after her doing what we have mentioned earlier, and offering Tawbah (repentance) to Allah (Glorified be He). May Allah grant us success in doing what pleases Him! As-salamu `alaikum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

81- Ruling on Masturbating during Hajj

Q: The questioner is M.`A.M., from Riyadh, says in his question: I performed Hajj with my father seven years ago when I was about seventeen years old. While I was in Ihram (ritual state for Hajj and `Umrah) and before going from Makkah to Mina to perform the rites of Hajj, I masturbated out of my ignorance and unawareness of the prohibitions of Ihram (ritual state for Hajj and `Umrah). I immediately performed Ghusl (ritual bath following major ceremonial impurity) and wore my Ihram clothing (worn during the ritual state for Hajj and `Umrah). I then set out to Mina and performed the rites of Hajj, praise be to Allah. What is the ruling on my Hajj, which is the obligatory act prescribed in Islam? Yet, I remained all this time without seeking the legal ruling on this matter

out of neglect. May Allah support and reward you well!

A: Your Hajj is valid according to the soundest of the two opinions of scholars. You must repent to Allah from this sin because practicing masturbation is prohibited whether in Hajj or on other days in accordance with Allah's (Glorified and Exalted be He) Saying: ﴾And those who guard their chastity (i.e. private parts, from illegal sexual acts)﴿ ﴾Except from their wives or (the slaves) that their right hands possess, - for then, they are free from blame;﴿ ﴾But whoever seeks beyond that, then those are the transgressors;﴿ Practicing masturbation is also prohibited on account of the other harms that have been pointed out by Muslim scholars. We ask Allah to grant us and you guidance and success! You have also to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) to be slaughtered in Makkah and distributed among the poor.

Q: What is the ruling on having sexual dream while in Ihram? What should one do in this case? May Allah reward you well!

A: In the Name of Allah, and all praise be to Allah! If one has a sexual dream and ejaculates semen while in Ihram (ritual state for Hajj and `Umrah), one must perform Ghusl (ritual bath following major ritual impurity) and nothing else is required from him. Hence, his Ihram is valid and he is not sinful because this occurs involuntarily. Similarly, if one has a sexual dream while fasting Ramadan, the Sawm (Fast) will be valid. However, if semen is emitted, one is required to perform Ghusl.

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82- The ruling on women covering their faces and hands in Ihram

Q: Is it permissible for a woman in the state of Ihram (ritual state for Hajj and `Umrah) to cover her face and wear gloves, even though she is not asked to do so by her guardian? Kindly reply! May Allah reward you well!

A: Women in the state of Ihram are not permitted to cover their faces with Niqab or Burqu` (types of face veils), neither wear gloves. The Prophet (peace be upon him) prohibited this by his statement in the authentic Hadith concerning the garment of those in a state of Ihram: ("A woman in the state of Ihram should not wear Niqab (face veil), nor gloves.") However, she is permitted to cover her face and hands with something else as Khimar (veil covering to the waist), garment, cloak, etc. As for Niqab or other things that are made especially for covering the face, they are not permitted for the woman in a state of Iharm for Hajj or `Umrah to wear. `Aisha (may Allah be pleased with her) said: ("We were with the Prophet (peace be upon him) during the Farewell Hajj. When travelers approached us, we would cover our faces with our Khimars (veil covering to the waist).

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But when they were far away, we uncovered again.") Therefore, a woman is required to cover her face with Khimar and the like when men come near to her. She is not required to cover it with Niqab or things made for the face. Moreover, she is not permitted to cover her hands with gloves, but she can cover them with other things. Men are also not permitted during the state of Ihram to cover their heads with a turban or the like. A man is permitted to cover his hands with something other than gloves if there is a need to do so. He may cover his hands with Rida' or Izar (upper and lower garments worn by men while in Ihram) and likewise woman.

83- It is preferable for a woman in the state of Ihram to wear socks, but she is not permitted to wear gloves

Q: His Eminence Sheikh `Abdul-`Aziz ibn `Abdullah ibn Baz, the General Mufti (Islamic scholar qualified to issue legal opinions) of the Kingdom of Saudi Arabia and Chairman of the Council of Senior Scholars and the Department of Scholarly Research, Ifta', Daw`ah and Guidance was asked about the ruling on women wearing socks and gloves while in Ihram (ritual state for Hajj and `Umrah). Are they permitted to remove garments ordinarily worn upon entering the state of Ihram?

His Eminence replied: "It is preferable for her to wear socks or shoes because they cover her, but if she wears a long garment, she will not be required to wear socks if she desires."

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He added: "If a woman enters the state of Ihram while she is wearing socks, she is permitted to remove them. She is similar in this case to a man who enters the state of Ihram while wearing shoes and them removes them when he desires." But His Eminence confirmed that a woman is not permitted to enter the state of Ihram while wearing gloves. He commented, "This is because a woman in a state of Ihram is not permitted to wear gloves and likewise Niqab or Burqu` (types of face veils) on her face because the Prophet (peace be upon him) forbade her from wearing these things." Moreover, he confirmed that a woman should cover her face by lowering her Khimar (veil covering to the waist) or garment upon her face when there are non-Mahrams (not a spouse or an unmarriageable relative) in Tawaf (circumambulation around the Ka`bah) and Sa`i (going between Safa and Marwah during Hajj and `Umrah).

He set as evidence the Hadith reported by `Aisha (may Allah be pleased with her). She said: ﴿Travelers would pass us when we accompanied the Messenger of Allah (peace be upon him). When they came by us, one of us would let down her outer garment from her head over her face, and when they had passed on, we would uncover our faces.﴾ This Hadith was reported by Abu Dawud and Ibn Majah.

As for men, Sheikh Ibn Baz said: "It is permissible for men to wear Khuffs (leather socks) if they are not cut according to the soundest opinion. The Jumhur (dominant majority of scholars) said that they could be cut ." He added: "The soundest viewpoint is that they should not be cut if one has no shoes." He cited as a proof the statement of the Prophet (peace be upon him) during the Khutbah (sermon) he delivered on the day of `Arafah: ﴿"Whoever does not find an Izar (Waistcloth) can wear trousers and he whoever cannot have shoes may wear Khuffs."﴾ (Agreed upon by Al-Bukhari and Muslim.)

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The General Mufti of the Kingdom of Saudi Arabia concluded his answer by saying that the Prophet (peace be upon him) did not order cutting Khuffs for those who did not find shoes. This denotes that

cutting Khuffs (cutting what is above the anklebone) is abrogated.

Q: A woman who has poor eyesight intends to perform Hajj this year. She asks if it is permissible for her to wear Niqab (face veil) to cover her face except the eyes then wear a transparent veil to see her way? Am I sinful if I do this?" May Allah reward you well!

A: There is no blame upon the woman to do this unless she is in Ihram (ritual state for Hajj and `Umrah). This is because the Prophet (peace be upon him) said: (A woman who is in the state of Ihram should neither wear Niqab (face veil) nor gloves.) However, a woman who is in the state of Ihram is permitted to cover her face with something else as mentioned in the Hadith reported by `Aisha (may Allah be pleased with her). Allah is the One who grants success.

84-Debating and argumentation

in Hajj create disputes and antagonism

Concerning the sanctity of Hajj, its obligation upon Muslims, entering the state of Ihram (ritual state for Hajj and `Umrah) and etiquettes that prevent pilgrims from arguing and imitating the tribes of Jahiliyyah (pre-Islamic time of ignorance), His Eminence `Abdul-`Aziz ibn `Abdullah ibn Baz, the General Mufty of the Kingdom of Saudi Arabia and President of the Constitutional Council of the Muslim World League in Makkah Al-Mukarramah says: Allah (Exalted be He) says: ﴾The Hajj (pilgrimage) is (in) the well-known (lunar year) months (i.e. the 10th month, the 11th month and the first ten days of the 12th month of the Islâmic calendar, i.e. two months and ten days). So whosoever intends to perform Hajj therein (by assuming Ihrâm), then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj. And whatever good you do, (be sure) Allâh knows it. And take a provision (with you) for the journey, but the best provision is At-Taqwa (piety, righteousness). So fear Me, O men of understanding!﴿

Allah (may Allah be Exalted) informs us that Hajj should be performed during the well-known months; Shawwal, Dhul Qa`dah and the first ten days of Dhul-Hijjah. Allah (Exalted be He) says: ﴾well-known﴿ because these months and days have been known to people since the time of Ibrahim (Abraham) and Isma'il (Ishmael) (peace be upon both of them). Therefore, Hajj does not require pointing out its time as is the case with Sawm (Fast) and Salah (Prayer). As for Allah's (Exalted be He) Saying: ﴾So whosoever intends to perform Hajj therein (by assuming Ihrâm)﴿ , it means that he

who enters the state of Ihram (ritual state for Hajj and `Umrah) for Hajj

in these months whether in their beginning, middle or end, is required to perform its rites even if it is a supererogatory Hajj.

Entering the state of Ihram for Hajj makes completing it an obligation for the Muslim. This is because Allah (peace be upon him) says: ﴾And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴿ And: ﴾then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj.﴿ This Ayah (Qur'anic verse) points out the manners that must be observed by one who enters the state of Ihram and what should be avoided. This means that you must safeguard the state of Ihram from all that may invalidate or lessen its rewards, such as sexual intercourse, foreplay, committing sins, such as wrongdoings and the prohibitions of Ihram and all types of argumentations and disputes. This is because dispute brings about evil, kindle enmity and keep one way from Dhikr (Remembrance of Allah). The main objective of Hajj is submission and humility before Allah beside His House (the Ka`bah) and during its sacred rites. Hajj is also a means of drawing closer to Allah by performing righteous deeds and avoiding sins and prohibitions in order that Hajj might be accepted.

It was authentically reported that the Prophet (peace be upon him) said: ﴾"Hajj which is accepted will receive no other reward except Paradise."﴿ Since drawing closer to Allah cannot be achieved

except by giving up sins and performing righteous deeds, Allah (may He be Praised), and after His Prohibition of committing bad deeds during Hajj, commands performing righteous deeds. Allah (Exalted be He) says: ﴾And whatever good you do, (be sure) Allâh knows it.﴿ This includes urging people to do righteous deeds, especially during the days of Hajj in these honorable places, sacred rituals, and Al-Masjid Al-Haram (the Sacred Mosque in Makkah). The reward of righteous deeds multiplies in it more than any other Masjid. In addition, it was authentically reported that one Salah (Prayer) in Al-Masjid Al-Haram is greater in reward than one hundred thousand Salahs in any other Masjid. Al-Masjid Al-Haram (the Sacred Mosque in Makkah) includes Haram (all areas within the Sacred Sanctuary of Makkah). Therefore, it encompasses Mina, Muzdalifah and all Masjids that come inside Al-Haram area, and likewise is the rest of these sacred precincts. Moreover, pilgrims experience the virtue of the place and the virtue of the time. One of the forbidden disputes is what was what taking place between the tribes during Jahiliyyah (pre-Islamic time of ignorance) during the season of Hajj and in the land of Haram (all areas within the Sacred Sanctuary of Makkah) There were conflicts, boasting and praising of their forefathers and tribes till they turned Hajj from being a time for worship to dispute and controversy. They turned from earning rewards to committing sins and crimes. Allah (may He be Praised) says: ﴾So whosoever intends to perform Hajj therein (by assuming Ihrâm), then he should not have sexual relations (with his wife), nor commit sin, nor dispute unjustly during the Hajj.﴿ He (Exalted be He) says about Al-Haram: ﴾and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism), him We shall cause to taste from a painful torment.﴿ However, there is no harm in arguing with each other in a way that is best,

even if it is done in Makkah or elsewhere. Allah (may He be Praised) says: ﴾Invite (mankind, O

Muhammad صلى الله عليه و سلم) to the Way of your Lord (i.e. Islâm) with wisdom (i.e. with the Divine Revelation and the Qur'ân) and fair preaching, and argue with them in a way that is better.﴿

85- Guard your time against all that

harms your religion and displeases your Lord

His Eminence Shaykh `Abdul-`Aziz ibn `Abdullah ibn Baz, the General Mufty of the Kingdom of Saudi Arabia, Chairman of Council of Senior Scholars and Chairman of the Departments of Scholarly Research, Ifta', Daw`ah and Guidance addressed the pilgrims of Allah's Sacred House (the Ka`bah) in which he urged them to fear Allah (Exalted be He) glorify the rites prescribed by Him, and devote themselves wholly to worship.

In his words directed through `Ukazh Newspaper, His Eminence said: My brothers among the pilgrims of Allah's Sacred House (the Ka`bah) and dear Muslims everywhere! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed: You are welcome in the Allah's Sacred City on the land of in the Kingdom of Saudi Arabia which Allah has honored to serve pilgrims and visitors who come from everywhere. Allah (may he be Exalted) has favored this country also by allowing it to maintain the sacred sites and secure them for those who circumambulate around them, stay in I'tikâf (seclusion in the Sacred Masjid), or bow and prostrate themselves there in Salah (Prayer). I ask Allah (Glorified and Exalted be He) to grant you success in performing Hajj and visiting the Masjid (mosque) of His Messenger (peace and blessings of Allah be upon him, his family and Companions!) in complete tranquility, faith, security, ease and acceptance! I also hope

that you return to your homes safely and greatly rewarded. I also hope Allah to bestow His Favors and Forgiveness upon you for Allah is the Most Generous and the One Who is Able to answer our supplications!

His Eminence Shaykh Ibn Baz went on to say: I advise my brothers, the pilgrims of Allah's Sacred House to fear Allah (Glorified and Exalted be He) wherever they may be, hold steadfast to Tawhid (belief in the Oneness of Allah/ monotheism), devote all worship to Allah alone, follow His Commands, avoid His Prohibitions, and abide by His Limits. This is the Taqwa (fearing Allah as He should be feared) for which He created mankind and Jinn. Moreover, it is also the worship mentioned

in Allah's Saying: ﴾And I (Allâh) created not the jinn and mankind except that they should worship Me (Alone).﴿ , ﴾O mankind! Worship your Lord (Allâh)﴿ , ﴾O mankind! Be dutiful to your Lord﴿ And ﴾O you who believe! Fear Allâh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islâm [as Muslims (with complete submission to Allâh)].﴿ Taqwa is the belief in the Oneness of Allah, sincerity to Him and truthfulness in dealing with Him. I advise you to carry out His Commands, avoid His Prohibitions, and abide by His Limits out of fear, hope, love and awe.

I advise all my brothers to understand their religion, attend knowledge circles in Al-Masjid Al-Haram (the Sacred Mosque in Makkah) and Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah) and ask the people of knowledge concerning what seems ambiguous regarding the matters of Hajj and any other issues.

Also, I advise them to keep up their performance of the five daily Prayers in Al-Masjid Al-Haram, Al-Masjid Al-Nabawy and in other mosques wherever they are together with their brothers for the Sake of Allah (Glorified and Exalted be He).

His Eminence added: This is because Salah (Prayer) is the pillar of Islam. and whoever performs it regularly protects his faith and whoever neglects it will lose as the Prophet (peace be upon him) said: ﴾"The peak of the matter is Islam and its pillar is Salah."﴿ ; ﴾"That which differentiates us from the disbelievers and hypocrites is our performance of Salat. He who abandons it, becomes a disbeliever."﴿ And: ﴾"Whoever offers them regularly, it will be like a light, a proof of a person's faith, and a means of salvation on the day of judgement. Conversely, whoever does not offer prayer regularly or totally abandons it, it will turn against him, and he will be gathered on judgement day with Pharaoh, Haman."﴿ This is a severe warning that one should be mindful of.

I advise my brothers also to recite Qur'an regularly and reflect upon its meanings.

The Qur'an is the Book of guidance and light. It implies the call to all that is good as Allah (Exalted be He) says: ﴾Verily, this Qur'ân guides to that which is most just and right﴿ ; ﴾(This is) a Book (the Qur'ân) which We have sent down to you, full of blessings, that they may ponder over its Verses, and that men of understanding may remember.﴿ And: ﴾And this is a blessed Book (the Qur'ân) which We have sent down, so follow it and fear Allâh (i.e. do not disobey His Orders), that you may receive mercy (i.e. be saved from the torment of Hell).﴿

I advise my brothers from among the pilgrims of Allah's Sacred House and all Muslims to follow the Sunnah of the Messenger of Allah (peace be upon him), listen to the Hadiths reported from him and work accordingly, because he (peace be upon him) conveyed the message of his Lord. He did not speak out of his own desire. Allah (Glorified and Exalted be He) says: ﴾By the star when it goes down (or vanishes).﴿ ﴾Your companion (Muhammad صلى الله عليه وسلم) has neither gone astray nor has erred.﴿ ﴾Nor does he speak of (his own) desire.﴿ ﴾It is only a Revelation revealed.﴿ From among the best concise books that bring benefit to laymen is Riyadul Saliheen (Gardens of the Righteous) by Imam Al-Nawawy (may Allah be merciful with him) and Bulugh Al-Maram (Attainment of the Objectives) by Al-Hafidh ibn Hajjar. These are useful books that we should pay attention to, take care of and benefit from.

I advise my brothers from among the pilgrims of Allah's Sacred House not to waste their time

in what harms their faith and displeases their Lord. They can do this by occupying themselves with Dhikr (Remembrance of Allah), Tasbih (saying: "Subhan Allah [Glory be to Allah]"), Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]"), Takbir (saying: "Allahu Akbar [Allah is the Greatest]"), saying (there is neither might nor power except with Allah!), reciting the Qur'an, Istighfar (seeking forgiveness from Allah), Du`a' (supplication), guarding against all that Allah prohibits as well as guarding against Ghibah (backbiting) and Namimah (tale-bearing) because they are amomgst the most evil and gravest major sins. I also ask Allah to grant us and all our brothers guidance, success and sincerity of intentions and deeds! I ask Him to grant all of us acceptance and forgiveness! May Peace and Blessings of Allah be upon our Prophet Muhammad, his family, and Companions!

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86- A pilgrim should avoid lying out on the streets

All praise be to Allah Alone! May peace and blessings of Allah be upon His Messenger, his family and Companions! To proceed:

I advise all pilgrims to Allah's Sacred House to fear Allah in all times and situations. We advise them also to remain in constant Dhikr (Remembrance of Allah), Istighfar (seeking forgiveness from Allah) and perform Salah (Prayer) at their due times in congregation. You must also pay attention to attending knowledge sessions in Al-Masjid Al-Haram (the Sacred Mosque in Makkah) and Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah) for he who visits Madinah. I advise them also to ask the people of knowledge about things are ambiguous for them to grasp. This is because the Prophet (peace be upon him) says: ("When Allah wishes good for a person, He gives him understanding of the Deen.") And: ("If anyone embarks on a path in search of knowledge, Allah will facilitate his path to Paradise.")

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I advise all pilgrims to pay attention to these matters, perform Istighfar (seeking forgiveness from Allah) repeatedly, Tasbih (saying: "Subhan Allah [Glory be to Allah]"), Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]"), Tahmid (saying: "Alhamdu lillah [All praise is due to Allah]") and Takbir (saying: "Allahu Akbar [Allah is the Greatest]"). You have also to ask Allah to keep you firm on the truth and grant you a good end. This is because a servant is in a great danger in this worldly life. Therefore, one must supplicate to Allah frequently and ask Him to grant them steadfastness on the truth.

We advise all pilgrims to avoid all that brings harm to Muslims, such as sleeping and sitting by the roads. This is because Allah (may He be Praised) says: (And those who annoy believing men and women undeservedly, they bear (on themselves) the crime of slander and plain sin.) Hence, I advise all pilgrims to avoid all what causes harm to Muslims from among the pilgrims as well as others. They must also avoid anything that causes harm to their brothers in Makkah, Madinah and elsewhere.

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87- Pilgrims should abide by the regulations laid down by the state

Q: The authorities that supervise housing pilgrims during the sacred rites have laid down some regulations that they forbid violating them for the safety of pilgrims, with Allah's Permission. One of these regulations is forbidding the use of gas jars inside the camps since the bad use of these devises leads to great harm that affects innocent people. So, does violating these regulations and the other systems that are designed for the safety of pilgrims decrease their reward? What is your advice to pilgrims to keep each other safe?

A: It is incumbent upon all pilgrims (may Allah grant them success) to follow the regulations that are put in place by the government Mmay Allah grant it success for the benefit of pilgrims. This is because Allah orders that rulers and those in authority must be obeyed in Ma`ruf (that which is judged as good, beneficial, in accord with Islamic law and Muslims of sound intellect). Regulations ordained by the state for the benefit of pilgrims come under the category of Ma`ruf. Moreover, violating these regulations is a sin and a decrease of the reward of the pilgrim. May Allah grant all of us success in performing what pleases Him!

88- Staging demonstrations

during the season of Hajj in Makkah Al-Mukarramah

under the pretext of denouncing Mushriks is a baseless Bid`ah

Praise be to Allah Alone! May peace and blessings be upon the Messenger of Allah, Muhammad ibn Abdullah, his family, Companions and those who followed his guidance! To proceed:

Allah (Exalted be He) has made it an obligation upon His Believing Servants to distance themselves from Mushriks (persons who associate others with Allah in His Divinity or worship) at all times. Allah (Exalted be He) revealed the following Ayah in this respect: ﴾Indeed there has been an excellent example for you in Ibrâhîm (Abraham) and those with him, when they said to their people: "Verily, we are free from you and whatever you worship besides Allâh: we have rejected you, and there has started between us and you hostility and hatred for ever until you believe in Allâh Alone"﴿ At the end of the Prophet's (peace be upon him) life, Allah also revealed the following Ayah: ﴾Freedom from (all) obligations (is declared) from Allâh and His Messenger (صلى الله عليه وسلم) to those of the Mushrikûn (polytheists, pagans, idolaters, disbelievers in the Oneness of Allâh), with whom you made a treaty.﴿

It is authentically reported that Allah's Messenger (peace be upon him) appointed Abu Bakr Al-Siddiq (may Allah be pleased with him) in 9 A.H., to lead the pilgrims and instruct them on the rites of Hajj and announce the disavowal from the Mushriks. Then he dispatched `Aly. (may Allah be pleased with him)

to inform people about that. Then, Abu Bakr Al-Siddiq (may Allah be pleased with him) sent two callers with `Aly (may Allah be pleased with him) to proclaim the following four words: Only believers will be admitted to Paradise, no Mushrik (one who associates others with Allah in His Divinity or worship) will be allowed to perform Hajj after this year, no naked person is allowed to perform Tawaf circumambulation around the Ka`bah) and a four-month respite is given to idolaters who have not concluded a covenant with the Prophet (peace be upon him) to travel freely. As regards those idolaters who had a special covenant with the Prophet (peace be upon him) and kept it faithfully, the covenant is to be held as valid until its appointed term. Allah (Glorified and Exalted be He) says ﴾So travel freely (O Mushrikûn - See V.2:105) for four months (as you will) throughout the land﴿ After this term, the Prophet (peace be upon him) ordered Muslims to fight against the Mushriks

if they did not convert to Islam. Allah (Exalted be He) says: ﴾Then when the Sacred Months (the 1st, 7th, 11th, and 12th months of the Islâmic calendar) have passed﴿ According to the preponderant view, the months stated in this Ayah are the four months' respite given by the Prophet (peace be upon him) to Mushriks. Allah (Exalted be He) says: ﴾then kill the Mushrikûn (See V.2:105) wherever you find them, and capture them and besiege them, and lie in wait for them in each and every ambush. But if they repent and perform As-Salât (Iqâmat-as-Salât), and give Zakât, then leave their way free. Verily, Allâh is Oft-Forgiving, Most Merciful.﴿

This is the lawful disavowal of Mushriks as it is made clear in the Hadiths of the Prophet (peace be upon him) and pointed out by the scholars of Tafsir (explanation/exegesis of the meanings of the Qur'an) in explaining the first Ayah in Surah Al-Tawbah. As for staging demonstrations during the season of Hajj in Makkah Al-Mukarramah or

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elsewhere to proclaim disassociation from the Mushriks, this is a baseless Bid`ah (innovation in Islam). This act also results in a great evil and severe harm. Hence, anyone who does so must abandon it. Also, the government, may Allah grant it success, must prevent people from holding these demonstrations due to its being an innovation which has no base in Allah's Purified Shar` (law) and also on account of the evil consequences and harms which these acts cause to pilgrims. Allah (may He be Praised) says in His Noble Book: ﴾Say (O Muhammad صلى الله عليه وسلم to mankind): "If you (really) love Allâh then follow me (i.e. accept Islâmic Monotheism, follow the Qur'ân and the Sunnah), Allâh will love you﴿ In addition, this act has never been the conduct of the Prophet (peace be upon him) and his Companions (may Allah be pleased with them). Had it been good, they would have done it before us. Allah (Glorified be He) says: ﴾Or have they partners (with Allâh — false gods) who have instituted for them a religion which Allâh has not ordained?﴿ And ﴾And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it).﴿ The Messenger of Allah (peace be upon him) said: ﴾Whoever performs an act for which is not of this affair of ours, it is to be rejected.﴿ (Agreed upon by Al-Bukhari and Muslim) It is authentically reported on the authority of Jabir (may Allah be pleased with him) that he (peace be upon him) used to say in the Friday Khutbah (sermon): ﴾The best of speech is the Book of Allah, and

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the best of the guidance is the guidance given by Muhammad (peace be upon him). The most evil affairs are novelties; and every Bid'ah leads to misguidance.﴿ (Related by Muslim in his Sahih) He (peace be upon him) also said: ﴾Whoever performs an action not in accordance with our affair, it is to be rejected.﴿ (Also related by Muslim) During the Farewell Hajj, the Prophet (peace be upon him) said: ﴾Learn your (Hajj) rites from me.﴿ The Prophet (peace be upon him) has never staged any processions or demonstrations during the Farewell Hajj. The same is also true with the Prophet's Companions (may Allah be pleased with them). Therefore, doing so during the season of Hajj is one of the innovations against which the Prophet (peace be upon him) warned us. After Surah Al-Tawbah was revealed, the Prophet (peace be upon him) dispatched emissaries in the ninth year after Hijrah to proclaim that no one except the believing person will be admitted to Paradise, no Mushrik will allowed to perform Hajj after this year; i.e., 9 A.H, no naked person is allowed to perform Tawaf around the Ka`bah, and whoever has a covenant with Allah's Messenger, then it shall be valid for four months except for covenants whose terms exceed this period. These are valid until the time of their expiration.

During the Farewell Hajj, the Prophet (peace be upon him) did not make these announcements again because its goal was achieved in the ninth year. All goodness and happiness in this worldly life and in the Hereafter lie in following in the footsteps of the Prophet (peace be upon him) and his Companions (may Allah be pleased with them). Indeed, they and their followers are Al-Firqah Al-Najiyah (the Saved Sect) and victorious group. Allah (Glorified and Exalted be He) says: ﴾And the foremost to embrace Islâm of the Muhâjirûn (those who migrated from Makkah to Al-Madinah) and the Ansâr (the citizens of Al-Madinah who helped and gave aid to the Muhâjirûn) and also those who followed them exactly (in Faith). Allâh is well-pleased with them as they are well-pleased with Him. He has prepared for them Gardens under which rivers flow (Paradise), to dwell therein forever. That is the supreme success.﴿

May Allah guide us and all Muslims to useful knowledge, doing good deeds, understanding our religion and following the path of the Seal Messenger, his Companions, and their followers in righteousness until the Day of Judgment! We ask Allah to protect us from the delusive trials, the insinuations of Satan, and from committing innovations in religion! Indeed, He is the Only One Able to do so! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Benefits of Hajj

Q: Allah mentions in His Noble Book that there are many benefits in Hajj. So, what are these benefits?

A: Allah (may He be Exalted and Glorified) mentions these benefits in Surah Al-Hajj after commanding His prophet and beloved Servant Ibrahim (Abraham) (peace be upon him) to construct Al-Bait Al-Haram (the Sacred House, another name for the Ka`bah): ﴾And proclaim to mankind the Hajj (pilgrimage). They will come to you on foot and on every lean camel, they will come from every deep and distant (wide) mountain highway (to perform Hajj).﴿ ﴾That they may witness things that are of benefit to them (i.e. reward of Hajj in the Hereafter, and also some worldly gain from trade), and mention the Name of Allâh on appointed days (i.e. 10th, 11th, 12th, and 13th day of Dhul-Hijjah), over the beast of cattle that He has provided for them (for sacrifice), [at the time of their slaughtering by saying: (Bismillah, Wallâhu-Akbar, Allâhumma Minka wa Ilaik).] Then eat thereof and feed therewith the poor having a hard time.﴿

Based on the above, some exegetes (may Allah be merciful to them) have pointed out that the benefits which the pilgrims attain are in this worldly life and in the Hereafter regarding what the Muslim person feels within themselves and within their Ummah (nation based on one creed). One of the worldly benefits which people feel is buying and selling, the gains earned by laborers doing Hajj-related workings and the continuous motion of the different means of transportation. These worldly gains also include the benefits gained by the poor who receive Sadaqah (voluntary charity) in the form of money or meat of Hady (sacrificial animal offered by pilgrims), sacrifices and Kaffarah (expiation) offered by Muhrims (pilgrim in the ceremonial state for Hajj and `Umrah) when they commit any violation.

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This is in addition to marketing of products, animals, and other things needed by pilgrims. One of the great scenes witnessed there is that Allah (Glorified be He) facilitates spending and charity during Hajj so as the people tend to be more benevolent and giving in charity more than at other time. Apart from this, people get to know and help each other in their affairs.

As for spiritual benefits which return to pilgrims with great goodness in the Hereafter include the following: Having a good understanding of the religion (Islam), taking care of the affairs of Muslims in general, helping one another in Birr (virtuousness) and Taqwa (fearing Allah as He should be feared), calling to Allah (Glorified be He), enjoining Ma`ruf (that which is judged as good, beneficial, or fitting by Islamic law and Muslims of sound intellect) and forbidding Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect), frequent performance of Salah [voluntary prayers. Ed.], Tawaf (circumambulation around the Ka`bah), Dhikr (Remembrance of Allah) and conveyance of peace and blessings upon His Prophet Muhammad (may Allah be pleased with Him). This is in addition to gaining that which Allah (Exalted be He) has promised pilgrims, such as forgiving their sins, entering Paradise, and being showered with His Mercy during these great rites. It is authentically reported that the Prophet (peace be upon him) said: ﴾There is no day on which Allah frees more servants from Hellfire than the Day of 'Arafah. He draws

nearer, boasts of them before His angels, saying: What do they want?) Related by Muslim from the Hadith of `Aishah (may Allah be pleased with her)

The Prophet (peace be upon him) also said: (From one 'Umrah to another is a Kaffarah (expiation)

for whatever is (sins) committed in between, and an accepted Hajj brings no less a reward than Jannah) (Agreed upon by Al-Bukhari and Muslim) It is related in Sahih Al-Bukhari (authentic book of Hadith) on the authority of Abu Hurairah (may Allah be pleased with him) that the Prophet (peace be upon him) said: (Whoever performs Hajj, does not engage in intimate relations (with one's spouse), or commits sin, will return as on the day when his mother bore him) There are many Hadiths to the same effect.

90- The Hajj of a persistent sinner is valid but repentance is necessary

Q: What is the ruling on performing Hajj by he who persists in committing minor sins?

A:

His Hajj is valid, if he is a Muslim but the reward of his Hajj is imperfect and he must repent to Allah (may He be Praised) from all sins especially during Hajj in this sacred city. Whoever repents to Allah, Allah will accept his repentance.

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Allah (may He be Praised) states: ﴾And all of you beg Allâh to forgive you all, O believers, that you may be successful﴿ Allah (Glorified be He) also says: ﴾O you who believe! Turn to Allâh with sincere repentance! It may be that your Lord will expiate from you your sins, and admit you into Gardens under which rivers flow (Paradise)﴿

Sincere Tawbah (repentance to Allah) includes giving up sins, being cautious against committing sins for the sake of glorifying Allah (may He be Praised) and out of fear of His punishment. Sincere Tawbah entails also regretting what one has done and determining not to commit sins again. For the perfection of Tawbah, one should return what was taken wrongfully from people whether these wrongs were committed against the person, property, or honor or ask the wronged party for pardon.

May Allah grant all Muslims success in what sets right their hearts and deeds! We ask Him to grant all of us sincere repentance from all sins. He is Most Generous and Most Bountiful.

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Chapter of Fidyah

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91- Ruling on committing violations of the same type

Q: Does performing the same prohibited act repeatedly require only one Kaffarah (expiation)?

A: If the infractions are of the same type, such as cutting nails, plucking armpit hair, or wearing tailored clothes intentionally for he who is in a state of Ihram (ceremonial state for Hajj and `Umrah), he must repent to Allah and pay one Fidyah (ransom) which is feeding six needy persons, observing Sawm (Fast) for three days, or slaughtering a goat.

Q: It is reported that Ka`b Ibn 'Ujrah (may Allah be pleased with him) said: (I was carried to Allah's Messenger (peace be upon him) and the lice were falling on my face. The Prophet (peace be upon him) said, "I have never thought that your ailment (or struggle) has reached to such an extent as I see. Can you afford a sheep?" I replied in the negative. He then said, "Fast for three days, or feed six poor persons each with half a Sa` of food." (1 Sa` = 2.172 kg).) **(Agreed upon by Al-Bukhari and Muslim) Does this Hadith interpret Allah's saying:** (And whosoever of you is ill or has an ailment in his scalp (necessitating shaving)) **?**

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A: This Hadith interprets the Ayah (Qur'anic verse) mentioned above and denotes in all narrations the choice between the three kinds of expiation as it appears from the explicit meaning of the Ayah (Qur'anic verse). They are observing Sawm (Fast) for three days, feeding six needy persons by giving every needy person half a Sa' of food from the food of the area where he lives as dates or any other food or slaughtering a goat that is suitable for Ud-hiyah (sacrificial animal offered by non-pilgrims).

Ruling on neglecting to assume Ihram from the Miqat

Q: Somebody intended to offer `Umrah (Lesser Pilgrimage) or Hajj but he passed the Miqat (site for entering the ritual state for Hajj and `Umrah) and assumed Ihram (ritual state for Hajj and `Umrah) beyond it and after that completed the rituals of Hajj and `Umrah. What should he do?

A: If a person passed the Miqat without assuming Ihram while having the intention to offer `Umrah or Hajj, it is obligatory on him to slaughter Hady (sacrificial animal offered by pilgrims) and give it to the poor people in Al-Haram (the sacred House in Makkah) and it is not permitted for him to eat from his Hady. This is based on what the Prophet (peace be upon him) said when he defined the Miqats of the People of Madinah, Al-Sham (the Levant), Yemen and Najd: ﴾These Miqats are for the people at those very places, as well as for those who come through those places with the intention of performing Hajj and 'Umrah; and whoever is living within these boundaries can enter Ihram from the place where he starts off. even the people of

Makkah may assume Ihram form Makkah ﴿ (Agreed upon by Imams Al-Bukhari and Muslim) Excluded are those who intend to offer `Umrah from the people of Makkah, for it is obligatory on them to assume Ihram from a place out of Makkah for the Prophet (peace be upon him) ordered `Aishah with this when she wanted to offer `Umrah while she was in Makkah. May Allah grant us success!

93. Ruling on a woman who assumed Ihram to perform 'Umrah and then her period started, so she traveled home without performing the 'Umrah

Q: What is the ruling on a woman who assumed Ihram (ritual state for Hajj and 'Umrah) and then her menstruation started, so she took off her clothing for Ihram and traveled home?

A: This woman is still considered as falling under the ruling of Ihram; taking off the clothing she wore for Ihram did not remove her from the ruling of Ihram. She should return to Makkah and complete her 'Umrah (lesser pilgrimage). She does not have to perform a Kaffarah (expiation) for removing the clothing she wore for Ihram, cutting something from her nails or her hair, or for going home, if she was ignorant of the ruling on this. However, if she is married and her husband had sexual intercourse with her before she returned to complete the rituals of her 'Umrah, this will have spoiled her 'Umrah.

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It is obligatory on her to perform the rituals of 'Umrah, even if it is spoiled, and make up for it by performing another 'Umrah from the same Miqat (site for entering the ritual state for Hajj and 'Umrah) where she assumed Ihram for the earlier 'Umrah. She should also pay a Fidyah (ransom), which is one-seventh of a camel, one-seventh of a cow, one sheep that is Jadha'ah (has reached six months of age), or one goat that is Thaniyyah (has reached one year of age), to be slaughtered in the Haram (all areas within the Sacred Sanctuary of Makkah) and distributed among the poor there for her spoiled 'Umrah due to the intercourse. A woman may assume Ihram wearing any clothes she wishes; she does not have to wear specific clothing for Ihram, as some laypeople think. However, it is better for her not to wear beautiful clothes, to avoid causing any Fitnah (temptation). And Allah knows best!

94- Fidyah for giving up some obligations

From `Abdul `Aziz ibn `Abdullah ibn Baz to the honorable brother, may Allah protect him. Amen

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I have received your letter dated 17/2/1392 A.H., may Allah guide you, in which you asked about the ruling on the acts you performed during Hajj. You said that you stood on the mount of `Arafah and stayed the night in Muzdalifah. Furthermore, you forgot to offer Zhuhr (Noon) and `Asr (afternoon) Prayers in `Arafah until a short period before Maghrib (sunset) Prayer, so you ended the state of Ihram and did not throw pebbles (at the stone pillars during Hajj). You got annoyed and did not complete the Hajj rituals. You asked what you should do.

A: You still, until now, are a Muhrim (pilgrim in the ritual state for Hajj) and your intention to make Tahalul (removal of the ritual state for Hajj and `Umrah) is not valid as you did not meet its conditions. Once you receive this reply, you have to hasten to wear Ihram (clothing worn during the ritual state for Hajj) and go to Makkah intending to complete your Hajj. You have to make the seven rounds of Tawaf (circumambulation) around the Ka`bah, offer two Rak`ahs of Tawaf, make Sa`y (going between Safa and Marwah during Hajj and `Umrah) between Al-Safa and Al-Marwah, shave or cut your hair short, if you did not do it previously, and finally make Tahalul.

You have to offer one sacrifice as expiation for giving up the act of throwing the pebbles if you did not throw Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) on `Eid-ul-Adha (the Festival of the Sacrifice) or the three Jamarat on 11th and 12th. It may be one seventh of a she-camel or cow or one sheep or goat. It should be slaughtered in Al-Haram Al-Makky (The Sacred Mosque in Makkah) and distributed to the poor living there. Moreover, you have to offer another sacrifice for not staying the night in Mina on the days of Mina, if you did not do so. It should be slaughtered in Al-Haram Al-Makky and distributed to the poor. Together with the sacrifice, you have to perform Tawbah and ask Allah's forgiveness for your neglect to fulfil the said two obligations. However, the time for making Tawaf, Sa`y and shaving one's hair is made more flexible. Fulfilling these obligations during Hajj is better, though. If you had sexual intercourse with your wife, the Hajj was spoiled. Yet, you have to do what is mentioned above because the valid and spoiled Hajj alike in this point; must be completed. Allah (Exalted be He) says: ﴾And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴿ In future, you must make up for this Hajj according to your capability. You have to slaughter a cow or she-camel as expiation for having sex with your wife before making Tahalul, which caused the Hajj to get spoiled. It should be slaughtered in Al-Haram Al-Makky and distributed to the poor. Slaughtering one sheep would suffice only if you threw Jamrat-ul-`Aqabah on the `Eid day. The Hajj in such a case can not be spoiled. You take the same ruling as a person who had sex with his wife

after making Tawaf and before completing Tahalul through shaving hair or throwing the pebbles. May Allah guide us all to understand His religion well and to keep firm on it! As-salamu `alaykum warahmatullah wabarakatuh.

To His Eminence, respected Shaykh 'Abdul-'Aziz ibn 'Abdullah ibn Baz.

As-salamu 'alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

Please advise us - and may Allah reward you - concerning the following questions:

First: Five people entered the Haram (the Sacred Mosque in Makkah) to perform Tawaf-ul-Wada' (circumambulation around the Ka'bah on leaving Makkah). After they had performed one or two rounds, it became so crowded that they became afraid for their lives, so they performed two Rak'ahs (units of Prayer), supplicated to Allah, and left without completing the Tawaf-ul-Wada', thinking that it was not Wajib (obligatory). What are they now obligated to do? If it is obligatory on them to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah), is it permissible to slaughter the animal and distribute its meat in their country, or does it have to be slaughtered in Makkah? If one of them has to offer Dam, should it be immediate or can it be delayed?

Second: A man performed the obligatory Hajj. When he reached the Miqat (site for entering the ritual state for Hajj and 'Umrah), he assumed Ihram (ritual state for Hajj and 'Umrah) with the intention of performing Tamattu' Hajj (combining Hajj and 'Umrah with a break in between). When he reached Makkah, he performed Sa'y (going between Safa and Marwah during Hajj and 'Umrah) and cut his hair before performing Tawaf-ul-Qudum (circumambulation around the Ka'bah on arrival in Makkah). He then performed the Tawaf and put his ordinary clothes on. On the 8th of Dhul-Hijjah, he assumed Ihram to perform Hajj with the people. He did not think there was a problem, because he understood from what the people did, that he should perform the Tawaf first and then the Sa'y after it. So what he did in 'Umrah was due to ignorance of the ruling. He was accompanied by his wife in that Hajj who was also performing her obligatory Hajj. This Hajj took place many years ago, and he performed Hajj once since then, without his wife.

I hope that you will clarify the ruling on this, and may Allah reward you multiply!

From 'Abdul-'Aziz ibn 'Abdullah ibn Baz to his dear, honorable brother, Shaykh M. A. A. (may Allah protect him!) Amen!

As-salamu 'alaykum warahmatullah wabarakatuh.

I received your letter, dated 9/1/1388 A.H., and may you receive Allah's Guidance, and it included two questions.

The first question was about a group of people, who started to perform Tawaf-ul-Wada', and when they had performed a round or two, it became too crowded, so they stopped the Tawaf, performed two Rak'ahs, and then left, thinking that it was not Wajib.

A: According to the Shar'y (Islamic legal) evidence, each of those people should pay a Fidyah (ransom) of one-seventh of a camel, one-seventh of a cow, one sheep that is Jadha'ah (has reached the age of six months), or one goat that is Thaniyyah (has reached the age of one year), because the preponderant opinion concerning Tawaf-ul-Wada' is that it is Wajib. This is because the Prophet (peace be upon him) ordered us to perform it and prohibited leaving before it. It was authentically reported that Ibn 'Abbas (may Allah be pleased with them both) said, "Anyone who leaves out or forgets any of the (Hajj) rituals should pour out blood (i.e. slaughter a sacrificial animal)." This is done by slaughtering a Hady (sacrificial animal offered by pilgrims) in Makkah and distributing the meat among the poor people in

the Haram (all areas within the Sacred Sanctuary of Makkah), as was mentioned by scholars, based on what Allah (may He be Praised) says: ﴾Thus it is [what has been mentioned in the above said Verses (27, 28, 29, 30, 31) is an obligation that mankind owes to Allâh] and whosoever honours the Symbols of Allâh, then it is truly from the piety of the hearts.﴿ ﴾In them (cattle offered for sacrifice) are benefits for you for an appointed term, and afterwards they are brought for sacrifice unto the ancient House (the Haram - sacred territory of Makkah).﴿ He (Glorified be He) says about the penalty for hunting: ﴾an offering brought to the Ka'bah﴿ It is immediately Wajib, because the Shar'y evidence shows that orders should be carried out immediately, except those for which the time is open, as indicated by the Shari'ah (Islamic law). This is the ideal in terms of compliance to Allah and is safer away from the risk of forgetfulness or negligence.

The second question was about a person who had made the intention to perform Tamattu' Hajj. when he entered Makkah, he performed Sa'y, cut his hair, before Tawaf, and then performed Tawaf and minor Tahalul (partial ending of the ritual state for Hajj or 'Umrah), after which he performed Hajj.

A: The scholars differ over this matter. It is most likely - In sha'a-Allah (if Allah wills) - that his 'Umrah is valid, because it was authentically reported from the Prophet (peace be upon him) that he was asked during the Farewell Hajj about someone who had performed Sa'y before Tawaf, and he (peace be upon him) said, ﴾"There is no sin (in that)."﴿ (Related by Abu Dawud in his "Sunan [Hadith compilation classified by jurisprudential themes]" with a good Isnad [chain of narration]) However, as he cut his hair before completing the 'Umrah and not after it, this is compensated for by Dam, because cutting the hair is an obligatory ritual of 'Umrah after the Tawaf and Sa'y, and he omitted this, so he is required to offer Fidyah (ransom) for that, as the Hady mentioned in the answer to the first question.

It should be slaughtered in Makkah and distributed among the poor people there. He is also required

to pay a Fidyah for cutting his hair at the wrong time, due to ignorance. This can either be done by performing Sawm (Fasting) for three days; feeding six needy people half a Sa' (1 Sa' = 2.172 kg) each of dates, wheat, rice, or barley; or slaughtering a sheep, according to the Hadith narrated on the authority of Ka'b ibn 'Ujrah. This is because he did an action in violation of the Shari'ah, and he could have asked the scholars before doing what he did. The giving of food and the sacrificing of an animal should be done in Makkah, but the Sawm can be performed anywhere. And Allah (Glorified and Exalted be He) knows best! May Allah's Peace and Blessings be upon His Servant and Messenger, Muhammad, and his family and Companions!

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Q: A sister says: I performed the obligation of Hajj five years ago but I threw the pebbles only the first time i.e. I threw them on the Night of the `Eid (the Festival of the Sacrifice) before Fajr (dawn) because we left Muzdalifah after midnight out of fear of crowdedness. I then threw the pebbles without knowing whether they fell into Al-Hawd (the Fountain) or not. At that time, the place was overcrowded and I did not know that the pebbles should fall into Al-Hawd (the Fountain). I also did not throw the pebbles on the second and on the third days. I assigned my brother to throw them on my behalf just out of my fear of crowdedness. I was also ignorant that a woman should throw the pebbles herself and should not assign others to throw them on her behalf except if she is disabled. Please inform me what I should do regarding throwing such pebbles that I did not know whether they fell into the fountain or missed it? What should I do regarding assigning my brother to throw them on my behalf on the second and third days? Should I pay Fidyah (ransom) or what should I do? May Allah reward you with the best!

A: For expiation on all this, you should slaughter one sacrifice for abandonment of throwing the pebbles on the second and third days while you were capable and for throwing on the first day without being sure if the pebbles reached the basin or not.

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What is meant is that you have to slaughter one animal i.e. Jadha'ah (a sheep that has reached the age of six months) or a Thaniy (a goat that has reached the age of one year). It is to be sacrificed in Makkah and distributed among the poor as expiation for abandoning such an obligation, because a Muhrim (pilgrim in the ritual state for Hajj and `Umrah) should make sure that the pebbles fall into the target or at least should be almost certain of this.

A person who leaves `Arafah before sunset should sacrifice an animal and repent to Allah

Q: I remained in `Arafah until it was almost sunset. Seeing the pilgrims proceeding to Muzdalifah, I proceeded with them. Though some pilgrims alerted me not to proceed at that time, I did not act accordingly. Is my Hajj (pilgrimage) correct or what should I do? Answer me, may Allah reward you with the best!

A: If the case is as you have mentioned in the question, and you did not return to `Arafah after sunset, then you have to sacrifice an animal in Mina or Makkah and distribute it to the poor. You also have to make Tawbah (repentance to Allah) from this action. May Allah grant us all success!

Ruling on the sufficiency of giving one ransom for a person who violates a Wajib (obligatory) act or commits a forbidden act

Q: If a pilgrim violates some of the Wajib (obligatory) acts of hajj, such as not entering Ihram (ritual state for Hajj and `Umrah) from the Miqat (site for entering the ritual state for Hajj and `Umrah) or plucking something out of his body, such as hair or nails, or if he covers his head, does one ransom suffice for this? Or does each abandoned Wajib and every prohibited act committed need a separate ransom to be performed? May Allah reward you with the best!

A: A person who abandons one of the Wajib acts of Hajj, such as entering into Ihram from the Miqat, has to sacrifice an animal in the Haram (Sacred Mosque in Makkah) and distribute it to the poor. An Ud-hiyah (sacrificial animal offered by non-pilgrims), one-seventh of either a she-camel or a cow will suffice for this. If a person cannot afford this, they have to fast ten days, three in Hajj and seven when they go back home.

As for a person who commits one of the forbidden acts during Ihram, such as trimming the hair or nails, or wearing stitched clothing, while knowing and remembering that this is forbidden, they have to give the ransom for this; to feed six needy people each of them is to have half a Sa` (1 Sa` = 2.172 kg); to slaughter a sheep that will be sufficient as an Udhiyah; or to fast for three days. This is based on the Hadith related by Ka`b ibn 'Ujrah that was authentically narrated in this regard. If they did this out of forgetfulness or ignorance, there is no blame on them. May Allah grant us success!

97- Ruling on those who returned home and had sexual intercourse with their wives without offering Tawaf-ul-Ifadah

Q: A man, who did not perform Tawaf Al-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj), returned to his country and had sexual intercourse with his wife, what should he do?

A: He should repent to Allah (may He be Exalted and Glorified) and offer Hady (sacrificial animal offered by pilgrims) in Makkah and give it to the poor. Moreover, it is obligatory on them to return and offer this Tawaf. This is a great sin and he should repent to Allah and ask for His forgiveness from that and return to Makkah to offer Tawaf-ul-Ifadah and Hady in Makkah. Having sexual intercourse with your wife before offering Tawaf-ul-Ifadah is not permissible and requires slaughtering. It is sufficient here to offer one sheep or one seventh of a camel or one seventh of a cow.

Chapter on game in Al-Haram

98-

Discussion on the sanctity of Makkah and the status of Al-Bayt

and the related Ayahs, Hadiths and reports

All praise is due to Allah and the good end should be for the righteous. Peace and Blessings be upon His Servant, Messenger and the one whom He chose from among His creation to whom He entrusted His Revelation, our master Muhammad ibn `Abdullah and upon his family, Companions and whoever adopts his way and follows his guidance.

I thank Allah (Glorified and Exalted be He) for facilitating this meeting with dear sons and brothers in Islam, which aims at recommending the truth, calling to it and presenting advice for the sake of Allah and to His slaves. I ask Allah to set aright our hearts and deeds, grant us and all Muslims understanding of religion and adherence to it. We implore Him to make His Religion victorious, elevate His Word, set aright the affairs of all Muslims everywhere and entrust their affairs to the best of them and guide all Muslim rulers to adhere to His Shari`ah (Islamic law), judge according to it and enforce it upon people. He is the Only One Who is able to do that.

Then, I offer my grateful thanks to my brothers, who are in charge of this club and at the top of them, His Excellency Dr. Rashid Al-Rajih, the director of the University of

Um Al-Qura and president of the club for inviting me to attend this lecture entitled "The sanctity of Makkah Al-Mukarramah, the status of Al-Bayt Al-`Atiq, and the relevant reports related in this regard.

O dear brothers in Allah, I do not think that anyone who has the least knowledge or insight does not know the sanctity of Makkah and the status of Al-Bayt Al-`Atiq (another name for Ka`bah). This matter is clearly stated by Allah in the Ever-Glorious Qur'an in many Ayahs (Qur'anic Verse) and by His Messenger Muhammad (peace be upon him) in many Hadiths and by the scholars in their books, deeds and their books of Tafsir (exegesis of the Qur'an).

Praise be to Allah, the matter is quite clear; nevertheless, I would like to remind people of it and recommend them to adhere to the Obligations of Allah regarding its sanctity and to stand against

anything that opposes or violates this sanctity. In the Ever-Glorious Qur'an, Allah (Glorified and Exalted be He) says: ﴾Verily, the first House (of worship) appointed for mankind was that at Bakkah (Makkah), full of blessing, and a guidance for Al-'Alamîn (mankind and jinn).﴿ ﴾In it are manifest signs (for example), the Maqâm (place) of Ibrâhîm (Abraham); whosoever enters it, he attains security. And Hajj (pilgrimage to Makkah) to the House (Ka'bah) is a duty that mankind owes to Allâh, those who can afford the expenses (for one's conveyance, provision and residence); and whoever disbelieves [i.e. denies Hajj (pilgrimage to Makkah), then he is a disbeliever of Allâh], then Allâh stands not in need of any of the 'Alamîn (mankind, jinn and all that exists).﴿

In these Ayahs, Allah (Glorified be He) points out that Al-Bayt Al-`Atiq is the first House of worship established for people and that it is blessed and a guidance for the worlds. These are great honors that raise the status of this House and assure its honor.

It is reported in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim)and others from the Hadith of Abu Dharr

(may Allah be pleased with him) ﴾that he asked the Prophet (peace be upon him) about the first House (of worship) that was built for people. He (peace be upon him) said, "Al-Masjid Al-Haram." I asked, 'Then which?" He said, Al-Masjid Al-Aqsa (the Aqsa Mosque in Jerusalem) I asked, "How long between them?" He said, "Forty years." I asked, "Then Which?" He said, "Whenever Prayer comes unto you, offer it, for this place will be a Masjid i.e. proper place for prayer."﴿

This meaning is stressed by the saying of the Prophet (peace be upon him) in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim), ﴾I have been given five (things) that were not granted to anyone before me (and these are): Allah made me victorious by awe (by His frightening my enemies) for a distance of one month's journey, and the earth has been made for me (and for my followers) a place for praying and a thing to perform Tayammum...﴿

In fact, Al-Bayt Al-`Atiq is the first House established by people for worship and obedience. There were many houses established before it for the living, but Al-Ka`bah was the first house built for people to worship Allah and to circumambulate around it. It was built by Khalil Allah (Close Friend of Allah) Ibrahim (Abraham, peace be upon him) and his son Isma`il (Ishmael, peace be upon him).

With regard to the report that it was first established by Adam, this is a weak narration. It is reported and well-known to the scholars that it was first established by Khalil Allah Ibrahim (peace be upon him) and the next house

established for worship forty years after it was Al-Masjid Al-Aqsa at the hands of Ya`qub (Jacob), son of Ishaq (Isaac) son of Ibrahim (peace be upon them). Then it was reconstructed by Sulayman (Solomon, peace be upon him). No doubt that Al-Bayt Al-`Atiq is the best and first house established by people for worship; it is a blessed house, for the great reward Allah prepared for people who offer prayer in and circumambulate around it. All of these are means for forgiveness. Allah (Exalted be He) says, ﴾And (remember) when We made the House (the Ka'bah at Makkah) a place of resort for mankind and a place of safety. And take you (people) the Maqâm (place) of Ibrâhîm (Abraham) [or the stone on which Ibrâhîm (Abraham) عليه السلام stood while he was building the Ka'bah] as a place of prayer (for some of your prayers, e.g. two Rak'at after the Tawâf of the Ka'bahat Makkah), and We commanded Ibrâhîm (Abraham) and Ismâ'îl (Ishmael) that they should purify My House (the Ka'bah at Makkah) for those who are circumambulating it, or staying (I'tikâf), or bowing or prostrating themselves (there, in prayer).﴿ Allah (Glorified be He) has made this House a place of

resort for people to which they are always yearning to go; whenever they return from it, they like to go back again. Allah (Exalted be He) has instilled its love and longing in the hearts of the believers; they find in it great goodness, raising of ranks, doubling of good deeds and forgiveness for misdeeds. Moreover, Allah has made this House a place of safety, where people feel secure and where game is not to be disturbed at all. It is a safe sanctuary where game feels secure even though it is permitted to be hunted outside Al-Haram while inside Al-Haram, it is not permitted to startle or kill it.

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Allah (may He be Exalted and Glorified) says, ﴾whosoever enters it, he attains security.﴿ The intended meaning is that whoever enters it should be secured, and that no harm or murder occurs in it, for this may happen. Therefore, it is obligatory to give protection to whoever enters it and should not harm him in any way. Even the Jahiliyyah (pre-Islamic time of ignorance) admitted and followed this practice; a man would meet the murderer of his father or brother and would not approach him till he came out of it. This House; the great sacred place has been made by Allah as a place of return and security for people. Allah (Exalted be He) ordered Ibrahim and Isma`il (peace be upon them) to purify the House for those who circumambulate it, and those who are staying there for worship and those who bow and prostrate in it while praying. In another Ayah, Allah (Exalted be He) says: ﴾And (remember) when We showed Ibrâhîm (Abraham) the site of the (Sacred) House (the Ka'bah at Makkah) (saying): "Associate not anything (in worship) with Me, [Lâ ilâha illallâh (none has the right to be worshipped but Allâh) - Islâmic Monotheism], and sanctify My House for those who circumambulate it, and those who stand up (for prayer), and those who bow (submit themselves with humility and obedience to Allâh), and make prostration (in prayer);"﴿ The Ayah here refers to the resident and those who circumambulate it and offer prayers.

Allah (Glorified be He) ordered His Prophet Ibrahim and his son Isma`il to purify this House and so should all rulers. Therefore, the Prophet (peace be upon him) stressed this point on the Day of the Conquest of Makkah; he stated that it is a safe sanctuary, which Allah held inviolable on the day He created the heavens and earth and that it was not people who made it a sanctuary. He (peace be upon him) said, "Its game should not be chased, its trees should not be chopped down, its thorns should not be cut, no blood should be shed, and its fallen things should not be picked up except by one who would announce it."

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He (peace be upon him) meant that this House is sacred, so it is an obligation upon Muslims and rulers, as it was upon Ibrahim, Isma`il, all the prophets and the seal of the prophets Muhammad (peace be upon them), to respect and honor this House and beware of what Allah prohibited in it including harming, wronging and transgressing against Muslims, whether those who perform Hajj or `Umrah (Lesser Pilgrimage) or others.

It is an obligation to purify this House for those who stay or worship in it. It is required that people respect this House and keep it away from harm and they should also purify it and avoid committing sins in it and keep away from Allah's Anger and Punishment. They should not harm or fight one another in this sacred place; for it is a secure country whose people should revere, respect and obey Allah or should not do injustice or harm each other in it, for a misdeed committed in it is grave, just as the good deeds done in it are doubled.

Misdeeds, according to the scholars, are doubled but not in numbers; for whoever commits a misdeed shall be recompensed with the like thereof, but it is doubled in punishment.

This is because a misdeed committed in Al-Haram is not like a misdeed committed outside it; rather, it is graver and worse. In this respect, Allah (Exalted be He) says,

﴾and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism), him We shall cause to taste from a painful torment.﴿ "whoever inclines" means: whoever intends to do injustice therein. Allah (Exalted be He) says, ﴾and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism)﴿ The Ayah means that if a person has a bad intention to practice any wrongdoing or wants it, his will be painful torment, then what about the one who actually does so?

Since the one who has the intention to do evil is threatened with painful torment, what about the one who commits a crime and transgresses the limits? Indeed, he is more worthier of a severe punishment and painful torment.

At the beginning of this Ayah, Allah (Glorified and Exalted be He) says, ﴾Verily, those who disbelieved and hinder (men) from the Path of Allâh, and from Al-Masjid-al-Harâm (at Makkah) which We have made (open) to (all) men, the dweller in it and the visitor from the country are equal there [as regards its sanctity and pilgrimage (Hajj and 'Umrah)]﴿ This Ayah points out that the House is sacred and there is no difference between the resident and the newcomer who comes to perform Hajj or `Umrah with regard to its sacredness.

This is the beginning of the Ayah in which Allah (Exalted be He) says, ﴾and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism)﴿ Allah (Glorified and Exalted be He) elaborates on the greatness of this place which He has made secure and sanctified, none of its dwellers or visitors is permitted to transgress Allah's Limits or harm people in it.

Thus, it is known that wronging and harming people in Al-Haram by an utterance or deed is one of the the gravest prohibited acts, which its doer deserves painful torment; rather, it is one of the major sins.

When Allah supported his Prophet (peace be upon him) to conquer Makkah, he addressed people and said ﴾Allah, not people, made this Town sacred on the day He created the earth and the heavens. It was made lawful for me (to fight in it) only during a small part of time on one day, and today (now) its sanctity is the same (valid) as it was before. So it is incumbent upon those who are present to convey it (this information) to those who are absent.﴿ He also said, ﴾It is not lawful for anybody to shed blood in it or cut down its trees. Moreover, its game is not to be molested, its fresh herbage is not to be cut, and the things dropped are to be picked up only by one who makes a public announcement of it.﴿

If the games and trees are respected in it, what about the Muslim? Undoubtedly, he should be given more priority. Thus, no one is permitted to harm people in Al-Haram with a word or deed; everyone should respect them in compliance with Allah's Shar` (Law) and should revere Allah's Prohibitions in it more than he would do elsewhere. He should be peaceful to his Muslim brothers, love all good for them, hate all evil,

help them to do good and quit evil and never harm any one with utterance or deed. In Surah (Qur'anic chapter) Al-`Imran, Allah says: ﴾In it are manifest signs (for example), the Maqâm (place) of Ibrâhîm (Abraham)﴿

Allah has manifest signs in it; the scholars interpreted them as referring to Maqam Ibrahim (the Station of Ibrahim) and therefore the whole of the Haram is meant here as a place for worship. Also, it has other sacred places such as `Arafah, Al-Muzdalifah and Mina. All of these places are regarded from the Maqam of Ibrahim. This includes also the stone where Ibrahim stood while building the place which people face while offering prayer.

In fact, this provides a reminder to the believers who are the allies of Allah, in order that they may follow the example of Allah's Prophet, Ibrahim. Allah orders our Prophet (Muhammad) to do so in His Saying, ﴾Then, We have sent the revelation to you (O Muhammad صلى الله عليه و سلم saying): "Follow the religion of Ibrâhîm (Abraham) Hanif (Islâmic Monotheism - to worship none but Allâh)﴿

Allah orders here His Prophet Muhammad (peace be upon him) to follow the religion of Ibrahim Al-Khalil, the father of all prophets. Allah's Prophet Muhammad (peace be upon him) is the best of all messengers and the most perfect in delivering Allah's message and most useful to people among them; he guided them to all good and illustrated for them the means of happiness. Every Muslim in this Ummah (nation based on one creed) should follow the example of his Prophet (peace be upon him) with regard to carrying out obligations, giving up prohibited acts, warding harm off people and delivering all good to them.

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Every Muslim in this Ummah (nation based on one creed) should follow the example of his Prophet (peace be upon him) with regard to carrying out obligations, giving up prohibited acts, warding harm off people and delivering all good to them.

It is obligatory upon the scholars in charge to point out and guide people and rulers and those in charge should implement the Rule of Allah, advise and deter whoever wants to harm Muslims in Makkah among those who came to perform Hajj or `Umrah or other inhabitants, regardless of their races.

The rulers should respect, guard and protect this honorable Haram against any evil, as Allah and His Prophet and Messenger (peace be upon him) ordered.

Thus, we come to know that what happened on the year 1407 A.H. on the part of some Iranian people who come to perform Hajj is Munkar (that which is unacceptable or disapproved of by Islamic law and Muslims of sound intellect); rather, the Shari`ah of Allah prohibits it and so does the Book of Allah and the Sunnah (whatever is reported from the Prophet). Scholars unanimously agreed to the obligation of respecting Al-Bayt, sanctifying and protecting it against harms, sins and injustice, and the necessity of facilitating the affairs of people who come to perform Hajj and `Umrah and help them do good and avoid evil. It is never

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permissible for any one from Iran or elsewhere to cause harm to people by means of speech, actions, demonstrations, or mass marches that keep people from carrying out the rituals of Hajj and `Umrah. The one who performs Hajj should be like his Muslim brothers with regard to being quite and kind to his brothers who perform Hajj and help them do good and avoid evil.

This is due upon all performers of Hajj, regardless of their race or country in order to obey Allah (Glorified and Exalted be He), glorify His Bayt, revere Makkah Al-Mukarramah, act upon the Order of Allah and His Messenger (peace be upon him) and follow the approach of the Messenger and his Companions (may Allah be pleased with him).

This is an obligation upon all Muslims. Praise is due to Allah, this matter is quite clear to every one. He who harms people in Al-Bayt Al-`Atiq is undoubtedly the one who does not believe in Allah and the Last Day or the one who is ignorant of the Rulings of Allah or intends to do injustice to people. Those people will be punished according to the harms and injustices they inflicted upon others.

True belief in Allah and the Last Day keeps one away from what Allah prohibited in this place and elsewhere; it deters one from transgressing against the Limits of Allah and from committing prohibited acts. One commits a sin due to weakness in Iman (Faith/belief).

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With regard to Al-Masjid Al-Haram and Al-Masjid Al-Nabawy (the Prophet's Mosque) in Al-Madinah Al-Munawwarah, it is the duty of rulers to carefully protect them and ward off any harm away from them, their visitors, and whoever comes to perform Hajj or `Umrah in obedience to Allah and His Messenger, glorifying the Order of Allah (Glorified and Exalted be He) and His Messenger (peace be upon him), cooperating with others to obey Allah and His Messenger and assure the hearts of the performers of Hajj and `Umrah so that they would not forget what Allah ordered them to do or commit what Allah forbade them to do. Allah (Glorified and Exalted be He) says: ﴾Help you one another in Al-Birr and At-Taqwâ (virtue, righteousness and piety); but do not help one another in sin and transgression.﴿ Allah (Glorified be He) also says: ﴾By Al-'Asr (the time).﴿ ﴾Verily, man is in loss,﴿ ﴾Except those who believe (in Islâmic Monotheism) and do righteous good deeds, and recommend one another to the truth [i.e. order one another to perform all kinds of good deeds (Al-Ma'ruf) which Allâh has ordained, and abstain from all kinds of sins and evil deeds (Al-Munkar which Allâh has forbidden], and recommend one another to patience (for the sufferings, harms, and injuries which one may encounter in Allâh's Cause during preaching His religion of Islâmic Monotheism or Jihâd).﴿ It is necessary to recommend one another to adhere to the Truth, practice patience and cooperate in righteousness and piety in this sacred place and elsewhere even this is most required in this place for it is more sacred and glorified than any other place. Makkah Al-Mukarramah is the most beloved place to Allah and the best and greatest place. Then Al-Madinah Al-Munawwarah and Al-Masjid Al-Aqsa follow it in status. These three Masjids that Allah gave special honor are the greatest and best Masjids, which deserve more respect and care. The greatest

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and best of them is Al-Bayt Al-`Atiq, which Allah has made a secure resort for people. Therefore, its inhabitants and whoever comes to visit it should realize this virtue and esteem in order not to commit what Allah prohibited. This is an obligation upon both the residents and newcomers. Its dwellers should glorify it and avoid what Allah prohibited in it.

If the one who intends to do sins in it deserves painful punishment, then what about the one who does sins in it! The addressee here is not the newcomer, as the resident is more concerned here, because he resides there permanently.

He should learn what Allah prohibited, keep away from committing sins and work studiously on obeying Allah and His Messenger and helping his Muslim brothers in Makkah and those who come to perform Hajj or `Umrah. He should guide them to all good. It is an obligation upon the residents of Makkah to help and guide them to the means of salvation and avoid harming them by word or action. They should be callers to the truth.

All these matters should be observed in these two Masjids and cities. Muslims should, everywhere and every time, fear Allah, honor His Sacred Rites, cooperate with his brothers in piety and righteousness and keep away from whatever Allah (Glorified and Exalted be He) prohibited. The rulers should stand against and punish

whoever violates the Commands of Allah or wants to transgress His Limits and harm His Servants. A ruler should do so out of obedience to Allah (Glorified and Exalted be He) and His Messenger (peace be upon him) and protection of the Muslims who come to perform Hajj and `Umrah and others. They should respect this sacred country against violating Allah's Prohibitions or transgressing Allah's Limits in it or securing whoever does not fear Allah, harms His Servants, and disturbs their Hajj and security by a bad word or deed.

We ask Allah (Glorified and Exalted be He) by His Best Names and Lofty Attributes to guide Muslims everywhere to whatever pleases Him, to fix their hearts and deeds, to help them carry out His Rights and avoid His Prohibitions, to grant them understanding of religion, to guide our rulers to do what is best for the countries and peoples and to help them perform obligations, protect His Bayt and the city of the Prophet (peace be upon him) against any harm or evil. We ask Allah also to suppress the enemies of Islam everywhere and to make them too preoccupied with their affairs to harm Muslims and to make them plan for their own destruction and save Muslims from their evils. He (Glorified and Exalted be He) is Most Generous, All- Hearing and Ever-Near. May Allah's Peace and Blessings be upon the Messenger of Allah, his family and Companions!

99-

Sins are worse in Makkah

Q: Is it true that the punishment of sins is multiplied in Makkah just as good deeds are? Why are they so in Makkah only and not in any other place?

A: The evidence of Shari`ah (Islamic Law) indicates that good deeds are multiplied in honorable times such as Ramadan and the first ten days of Dhul-Hijjah and places like the Two Sacred Mosques. They are highly rewarded in Makkah, as it is reported in the authentic Hadith that the Prophet (peace be upon him) said, (One prayer in my Masjid (mosque) is a thousand times more excellent than a prayer in any other Masjid, except Al-Masjid Al-Haram (the Sacred Mosque in Makkah) and a prayer in Al-Masjid Al-Haram is better than a hundred thousand Salahs elsewhere.) This indicates that a prayer in Al-Masjid Al-Haram is one hundred thousand times better in reward than any Salah in any place, excepting Al-Masjid Al-Nabawy where the prayer is one thousand times better in reward than any place except Al-Masjid Al-Haram. Other good deeds

are also multiplied but nothing is narrated to specify their reward such as the case of prayer. On my part, I know no authentic evidence that indicates a specific amount of reward for the other good deeds such as fasting or Dhikr (remembrance of Allah) but there are general Hadiths that show that they are greatly rewarded. There is a Hadith that: (Whoever fasts Ramadan in Makkah, Allah writes

it as a hundred thousand Ramadans,⟫ but it is weak according to scholars.

Thereupon, there is no doubt that carrying out good deeds in the Sacred Masjid in Makkah is greatly increased in reward but there is no determined amount here except in the case of prayer as illustrated previously.

As for misdeeds, the verifying scholars are of the opinion that sins are not doubled in number but in punishment. This is because Allah (glory be to Him) says, ⟪Whoever brings a good deed (Islâmic Monotheism and deeds of obedience to Allâh and His Messenger صلى الله عليه وسلم) shall have ten times the like thereof to his credit, and whoever brings an evil deed (polytheism, disbelief, hypocrisy, and deeds of disobedience to Allâh and His Messenger صلى الله عليه وسلم) shall have only the recompense of the like thereof⟫ They are not doubled in number whether in Ramadan, the Sacred Mosque or any other place; always a misdeed is counted as one misdeed. This is a bounty and favor from Allah (may He be Exalted and Glorified).

Committing an evil deed in the Sacred Masjid of Makkah, Ramadan, or on the first ten days of Dhul-Hijjah is greater in punishment but not counted as more than one sin, and similarly committing a wrongdoing in

Makkah is greater in punishment than committing it in Jeddah or Al-Ta'if, for example. A sin in Ramadan or Dhul-Hijjah is graver and worse than that committed in Rajab or Sha`ban but it is the punishment that increases, not the number, as long as sins are concerned.

On the other hand, good deeds are doubled in reward and number as well and this is a great bounty from Allah. The following Ayah (Qura'nic Verse) indicates the great punishment for wrongdoings in the Sacred House in Makkah and the severe torture waiting for wrongdoers in that place. Allah (glory be to Him) said, ⟪and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism), him We shall cause to taste from a painful torment.⟫ This shows that committing a sin in the Sacred Masjid of Makkah is very offensive and even having an inclination to bad doing is included in the threat mentioned above.

Moreover, the Ayah states that to have an inclination to do wrong requires a great punishment. Therefore, what one may think with regard to committing evil deeds and sins in the Sacred Masjid? This normally entails more punishment than just inclination to sins. The Ayah at hand includes a great warning against committing sins and it applies to every bad inclination whether in belief or any other thing. Allah (Exalted be He) said: ⟪and whoever inclines to evil actions therein or to do wrong (i.e. practise polytheism and leave Islâmic Monotheism)⟫ The word Ilhad i.e. inclination to wrongdoing, was mentioned as an indefinite noun, which means that it is equally applied to every act of wrongdoing, because it is a form of Ihlad. Those who have inclinations to bad doings are eligible to the punishment mentioned above and if these inclinations contradict the Islamic creed, this is a great danger, for whoever has it may become disbeliever due to this and as a result commits the greatest sin. However, having inclinations to one of the misdeeds such as consuming intoxicant beverages,

Zina (premarital sexual intercourse and/or adultery) and ungratefulness to parents or one of them is lesser in punishment than the punishment of disbelief. This means that the punishment mentioned above relates to committing wrongdoing, which includes misdeeds, injustice and Shirk (ascribing partners to Allah in worship). Committing misdeeds or disbelief are included in wrongdoing and similarly violating others rights through killing, hitting, plundering, cursing or any thing like this is also meant here and whoever does so falls under this great danger. There is no doubt that disbelief is the

greatest and most abominable of them. Allah (Glorified be He) said: ﴾And (remember) when Luqmân said to his son when he was advising him: "O my son! Join not in worship others with Allâh. Verily joining others in worship with Allâh is a great Zûlm (wrong) indeed.﴿ And Allah knows best.

100- `Arafah is not part of the Haram

Q: A woman wanted to offer Salah (Prayer) in `Arafah, but she was bothered by a tree branch, so she ignorantly cut it off. What is the ruling? Guide us, may Allah bless you!

A: In the name of Allah and praise be to Allah, the trees of `Arafah are not part of the Haram (all areas within the Sacred Sanctuary of Makkah), so there is nothing wrong with cutting a branch in it, because `Arafah is not part of the Haram.

Q: While being in Ihram (ritual state for Hajj and `Umrah), my mother pulled out some bushes forgetfully, is her Hajj valid or what should she do?

A: This questions is subject to further explanation; if she did so in the Miqat (site for entering the ritual state for Hajj and `Umrah), there is nothing wrong with it, for it is not a part of the Haram (all areas within the Sacred Sanctuary of Makkah), such as the Miqat of the people of Madinah, the Miqat of people of Al-Ta'if (Wady Muhrim), the Miqat of people of Yemen and people of Al-Sham (The Levant), Egypt and Iraq. All these Miqats are not part of the Haram, so if a tree or plant is pulled out in these places, no blame is there. However, if she pulled the tree, while being in Ihram, from the land of the Haram in Makkah, this is wrong and there is nothing on her except repenting to Allah of what she did first, for her ignorance and second for there is not a clear Nas (Islamic text from the Qur'an or the Sunnah) necessitating paying the value of the tree or plants pulled out.

Ruling on cutting down trees sown by humans in the Haram

Q: Is it prohibited to pull out the trees sown by humans in the Haram (all areas within the Sacred Sanctuary of Makkah)?

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A: The trees sown by human beings are not included in the prohibition. What is prohibited is to pull out natural trees that are not planted by human beings. Whatever is planted by human beings can be cut at any time.

102- Ruling on grazing sheep in the Haram

Q: What is the ruling on grazing sheep in the Haram (all areas within the Sacred Sanctuary of Makkah)?

A: There is nothing wrong with grazing sheep in the Haram.

103- The special state of the pigeons of Makkah and Madinah

Q: Is there any special state for the pigeons of Makkah and Madinah ?

A: There is no special state for the pigeons of Makkah or Madinah, except that they must not be hunted or disturbed, as long as they are inside the Haram (all areas within the Sacred Sanctuary of Makkah) according to the Hadith which states, (Allah has made Makkah a sanctuary; it was a sanctuary before me and will continue to be a sanctuary after me. It was made legal for me (i.e. I was allowed to fight there) for only a small part of time on one day. It is not permissible to uproot its shrubs, cut its trees, or disturb its game.) (Narrated by

Al-Bukhari). He (peace be upon him) also said: (Ibrahim (peace be upon him) declared Makkah a sanctuary and I declare Madinah, that between the two mountains, as a sanctuary. No tree should be cut down, and no game is to be hunted.) (Narrated by Muslim)

104. Ruling on killing grasshoppers in the Haram

Q: If a woman kills one or two grasshoppers in the Haram (The Makkan or Madinan Sanctuary), does she have to perform a Kaffarah (expiation)?

A: If the grasshoppers are killed for no reason, their value should be given as a Fidyah (ransom) by the Muhrim (pilgrim in ritual state for Hajj and 'Umrah). The same applies to a non-pilgrim who kills them inside the Haram.

105- Ruling on paying Fidyah for intentional killing of games

Q: Is there a Fidyah (ransom) on whoever purposefully kills game?

A: Paying a Fidyah is obligatory upon whoever intentionally kills game while being in the state of Ihram (ritual state for Hajj and `Umrah) or whoever kills them

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in the Haram (all areas within the Sacred Sanctuary of Makkah). Allah (Glorified be He) says: (O you who believe! Kill not the game while you are in a state of Ihrâm [for Hajj or 'Umrah (pilgrimage)], and whosoever of you kills it intentionally, the penalty is an offering) The Jumhur (dominant majority of scholars) gave the unintentional killer the same ruling of the intentional killer, for the result is the same in both cases. However, the Ever-Glorious Qur'an indicates clearly that the Fidyah is obligatory only on the intentional killer and this is the stronger opinion, for the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) may do this unintentionally, particularly after the widespread use of cars. Allah (Glorified be He) says: (Allâh intends for you ease, and He does not want to make things difficult for you.)

106- The Hadith reported by Al-Sa'b Ibn Jathamah (may Allah be pleased with him)

that he gave a present to Allah's Messenger (peace be upon him)

Q: It is reported that Al-Sa'b Ibn Jathamah (may Allah be pleased with him) gave a wild donkey to the Prophet (peace be upon him) as a present while he was in al-Abwa or Waddan. He returned it to him and said: ("We have refused it only because we are in a state of Ihram (ritual state for Hajj and `Umrah).") **(Agreed upon by Al-Bukhari and Muslim). Does this Hadith abrogate the Hadith reported by Abu Qatadah (may Allah be pleased with him) in the story of hunting the donkey while he was not in**

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the state of Ihram (ritual state for Hajj and `Umrah)? The Prophet (peace be upon him) said to his Companions when they were in the state of Ihram: ("Is there any of you who helped him or guided him to it?" They said: "No." He said: "Eat the rest of its meat!") **(Agreed upon by Al-Bukhari and Muslim). This is because the Hadith reported by Abu Qatadah was in Al-Hudaybiyyah and the Hadith reported by Al-Sa'b was in the reconciliation.**

A: There is no contradiction between the two texts. This is because Abu Qatadah did not hunt it for the sake of those who were in the state of Ihram and they did not help him in hunting it. As for the Hadith reported by Al-Sa'b, he presented it alive to the Prophet (peace be upon him). The Muhrim (pilgrim in the ritual state for Hajj and `Umrah) is prohibited from hunting or eating what is hunted for him even if it is slaughtered. This is the way of reconciling between the two Hadiths. This is also denoted by the Hadith reported by Jabir (may Allah be pleased with him) that the Prophet (peace be upon him) said: ("The game of the land is lawful for you (when you are wearing ihram) as long as you do not hunt it or have it hunted for you.") Allah is the One who grants success.

Q: Was it mentioned in some narrations that it was alive?

A: It is mentioned in some narrations that it was alive and in other narrations that he presented him a backside or a leg of a donkey. The narration that mentions that he presented a leg or backside of a donkey

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means that he hunted it for the sake of the Prophet (peace be upon him).

Q: Did Abu Qatadah hunt for them or give it to them as a present?

A: He did not hunt it for them, but he gave it to them as a present as it was mentioned earlier.

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Chapter on Entering Makkah

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107- Observing Taharah (ritual purification) on assuming Ihram (clothing worn during the ritual state for Hajj and `Umrah) for Hajj or `Umrah

Q: Is it conditional on anyone who wants to assume Ihram to be in the state of Taharah? Please provide us with a Fatwa in this regard, may Allah reward you the best!

A: It is not a condition in Hajj or `Umrah (lesser pilgrimage) and the Qur'an does not mention it. Therefore, it is valid for a person who is not in a state of Taharah, such as a junub (in a state of major ritual impurity) or a woman in her menses or postpartum period, to assume Ihram for Hajj or `Umrah, but it is impermissible for her to perform Tawaf (circumambulation around the Ka`bah) until she performs Ghusl. The same applies to men; if a man assumes Ihram while being Junub or without Wudu' (ablution), his Ihram is also valid. Thus, he can pronounce Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) and Dhikr (remembrance of Allah), but should not perform Tawaf until he performs Ghusl and Wudu'. To summarize, Taharah is not a condition for Ihram.

108. It is Sunnah for a Muhrim to do Idtiba‘ during tawaf-ul-Qudum

Q: A. S. H. from Ta’if says in his question: It is well-known that Idtiba‘ (uncovering the right shoulder) for a male Muhrim (pilgrim in the ritual state for Hajj and ‘Umrah) should be done only during Tawaf-ul-Qudum (circumambulation around the Ka‘bah on arrival in Makkah). However, we notice that many male Muhrims

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do it from the moment they assume Ihram (ritual state for Hajj and ‘Umrah) until the end of their ‘Umrah (lesser pilgrimage), and many of them perform Salah (Prayer) in this state. Does Your Eminence not think that it would be advisable to ask the Imams (leaders of congregational Prayer) of the Masjids (mosques) in the Miqats (site for entering the ritual state for Hajj and ‘Umrah) to remind these people to cover their shoulders, before they say Takbirat-ul-Ihram (saying: "Allahu Akbar [Allah is the Greatest]" upon starting Prayer)?

A: The Sunnah (action following the example of the Prophet) to be acted upon by the male Muhrim in Tawaf-ul-Qudum is to do Idtiba‘ (uncovering the right shoulder), i.e. man’s removing his Rida’ (upper garment) from the right shoulder, putting the middle part of it under his right armpit and leaving the two ends of it on his left shoulder. When he finishes the Tawaf, he should stop doing this and put his Rida’ on both of his shoulders before performing the two Rak‘ahs (units of Prayer) of Tawaf. As the Prophet (peace be upon him) said, (“None of you should perform Salah in one piece of clothing of which there is none on his shoulders.”) This is also because the Prophet (peace be upon him) and his Sahabah (Companions, may Allah be pleased with them) used to put their Rida’ on both of their shoulders, whether during or outside Salah. With Allah is the success!

Q: is it better for a male Muhrim (pilgrim in the ritual state for Hajj and 'Umrah) to cover both his shoulders or just one of them during ihram (the ritual state for Hajj and 'Umrah)?

A: The Sunnah (action following the example of the Prophet) for a male Muhrim is to cover both his shoulders with his Rida' (garment worn around the upper part of the body) and to leave the ends on his chest. This is what the Prophet (peace be upon him) did. When the Muhrim wants to perform Tawaf-ul-Qudum (circumambulation around the Ka'bah on arrival in Makkah)

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for Hajj or 'Umrah, he should perform Idtiba' (uncovering the right shoulder) by putting the middle of the Rida' under his right armpit and leaving the ends of it on his left shoulder, thereby baring his right shoulder. This is specifically for the Tawaf-ul-Qudum, i.e., the first ritual done on arrival in Makkah for Hajj or 'Umrah. On finishing the Tawaf, the Rida' should be adjusted, so it covers both shoulders. The Muhrim should then perform the two Rak'ahs (units of Prayer) of Tawaf, because the Prophet (peace be upon him) said, ("None of you should perform Salah in one piece of clothing of which there is none on his shoulders.") (Agreed upon by Imams Al-Bukhari and Muslim as Sahih [a Hadith that has been transmitted by people known for their uprightness and exactitude; free from eccentricity and blemish]) The Sunnah is to cover both shoulders with the Rida' after Tawaf-ul-Qudum and before the two Rak'ahs of Tawaf, because this is what the Prophet (peace be upon him) used to do and for the previously mentioned Hadith. If a Muhrim is wearing his Rida', but not covering with it both his shoulders while he is sitting, eating, or talking to his Muslim brothers, there is nothing wrong with this. However, the Sunnah, if a Rida' is worn, is to cover both shoulders with it and have the ends on the chest, except during Tawaf-ul-Qudum, as previously mentioned.

109- Ruling on Ramal

Q: What is the ruling on Ramal (walking quickly)?

A: It is Sunnah (a commendable act) in the first Tawaf (circumambulation around the Ka`bah) performed upon arriving in Makkah for Hajj or `Umrah (lesser pilgrimage) during the first three rounds of Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah). It means walking

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quickly. It is also called Jadhb. As for the other four rounds, one should walk ordinarily and thus following the example of the Prophet (peace be upon him) in this regard.

110- Permissibility of performing Tawaf and Sa`y on behalf of a child and its mother

Q: Is it permissible to perform Tawaf (circumambulating the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) on behalf of a child and its carrier? Or, is it necessary to perform Tawaf independently for it?

A: It is permissible to perform Tawaf and Sa`y on behalf of a child and its carrier according to the more sound of the two opinions expressed by scholars on condition that this is intended by the carrier. However, it would be more precautionary to perform an independent Tawaf and Sa`y on its behalf.

111- Performing Tawaf from the inside of Hijr Isma`il is invalid

Q: A man performed Tawaf from the inside of Hijr Isma`il (short semi-circular wall adjacent to the Ka`bah and considered part of it), performed Sa`y (going between Safa and Marwah during Hajj and `Umrah) and then ended his state of Ihram (ritual state for Hajj and `Umrah). He then went back home and had sexual intercourse with his wife. Is he sinful for doing so?

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A: `Umrah (lesser pilgrimage) performed as such is invalid as his Tawaf is invalid. Thus, he has to re-perform Tawaf and Sa`y, and then trim his hair. Moreover, he has to slaughter a ewe in Makkah for having sexual intercourse before completing the `Umrah. Actually, Tawaf from the inside of the Hijr is invalid and thus a new Tawaf has to be performed from outside the Hijr in order for the invalid `Umrah to be complete. Moreover, he has to perform another sound `Umrah instead of this one by assuming Ihram (ritual state for Hajj and `Umrah) from the same Miqat (site for entering the ritual state for Hajj and `Umrah) he had assumed it for the first `Umrah. This is an explanation of what he has to do after his `Umrah was invalidated by sexual intercourse.

112- Taharah as a Condition for the validity of Tawaf

Q: What is the proof for the necessity of Taharah (ritual purification) for performing Tawaf (circumambulation around the Ka`bah)?

A: The proof is that the Prophet (peace be upon him) performed Wudu' (ablution) upon performing Tawaf. It was reported in the the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) that `Aishah (may Allah be pleased with her) said: ("When he (peace be upon him) [arrived (at Makkah) and] wanted to circumambulate [the House (Ka'bah)], he performed ablution") The Prophet (peace be upon him) also said: ("Circumambulation of the House (the Ka'bah) is like prayer, but Allah permits you to talk in it.") This Hadith was reported as Marfu` (a Hadith narrated from the Prophet with a connected or disconnected chain of narration) and Mawquf (words or deeds narrated from a Companion of the Prophet that are not attributed to the Prophet) from Ibn `Abbas (may Allah be pleased with him).

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The Mawquf is more authentic. But it should not be said that it is a mere viewpoint bestirred by reasoning. This is because if the Companion of the Prophet (peace be upon him) told about his viewpoint, it would be as the Hadith Marfu` unless it was reported from the children of Israel. This saying does not have any relation with the children of Israel. Reasoning has no place here. It is similar to the Hadith Marfu` to the Prophet (peace be upon him). This is denoted in the Hadith mentioned above and reported by `Aishah.

The Prophet (peace be upon him) performed Tawaf while he was pure. Moreover, he said: ("Take your (Hajj) rituals from me.")

Q: One of my relatives performed `Umrah (lesser pilgrimage) during the month of Ramadan. When she entered the sacred Masjid (mosque), she violated her Wudu' (ablution) by a minor impurity. She broke wind and was shy to tell her family that she wanted to make Wudu'. After performing Tawaf, she went alone to perform Wudu'. Then she performed Sa`y (going between Safa and Marwah during Hajj and `Umrah). Should she slaughter an animal or pay Kaffarah (expiation)? May Allah reward you the best!

A: Her Tawaf is invalid. This is because Taharah (ritual purification) is one of the conditions of the validity of Tawaf. She has to return to Makkah and perform Tawaf again.

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It is recommendable for her also to perform Sa'y again. This is because many scholars do not permit performing Sa'y before Tawaf. Then, she can trim the end of her hair and end the state of Ihram. If she was married and had sexual intercourse with her husband, she should slaughter an animal for the poor in Makkah. He has to enter the state of Ihram for a new 'Umrah from the Miqat (site for entering the ritual state for Hajj and `Umrah) of the first one. This is because the first 'Umrah became invalid by having sexual intercourse. Therefore, she has to do what we have mentioned. Then, she should perform the new `Umrah from the Miqat of the first one whether in the current time or later on according to her ability. May Allah grant us success!

Q: A sister asks: "A woman performed Taharah (ritual purification) and then slept in the car on her way to Makkah. She performed Tawaf (circumambulation around the Ka`bah) without having Wudu' (ablution). She performed Tamattu` Hajj (combining Hajj and `Umrah with a break in between) and ended the state of Ihram. What should she do? May Allah reward you the best."

A: In the Name of Allah, all praise be to Allah! If the sleep she slept was just drowsiness, there will be no blame on her. Drowsiness does not violate Wudu'. But if she had a deep sleep that violates Wudu', her Tawaf will be invalid. Therefore, her Hajj will be Qiran Hajj (combining Hajj and `Umrah simultaneously). The Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) and Sa`y will be sufficient for the Tawaf and Sa`y of `Umrah. All praise be to Allah!

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113- Should a person who ceases his Tawaf for violating Wudu' (ablution) or for any other need resume and complete his Tawaf or restart a new Tawaf?

Q: A questioner from Cairo says in his question: "He broke wind after starting Tawaf (circumambulation around the Ka`bah), should he cease his Tawaf or complete it?"

A: If one violates his Wudu' during Tawaf by breaking wind, urinating, producing semen, touching one's private parts or the like, his Tawaf will be invalid exactly as Salah (Prayer). He has to cease Tawaf and go to perform Wudu'. Then, he has to begin his Tawaf again. This is the soundest viewpoint. This question is a matter of dispute among scholars. But this is the soundest viewpoint with regard to Tawaf and Salah because of the saying of the Prophet (peace be upon him): ("When any of you breaks wind during the prayer, he should turn away, perform ablution and repeat the prayer.") This Hadith was reported by Abu Dawud and deemed as authentic by Ibn Khuzaymah. Tawaf is similar to Salah in general. But if one ceases Tawaf for a certain need, as when Iqamah (call to start the Prayer) is announced, after performing three rounds - he has to perform Salah and then completes his Tawaf from the place where he stopped.

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He is not required to return to Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah) to start the round. He can begin from the place where he stopped. This viewpoint contradicts what was said by a group of scholars that he has to return to Al-Hajar Al-Aswad to begin the round. The soundest view is that he is not required to return to Al-Hajar Al-Aswad. The case will be the same, if he is stopped for Funeral Prayer, for talks with someone, due to a crowd or the like. In this case, he has to complete his Tawaf. May Allah grant us success!

114- Ruling on Tawaf of a person who is bleeding from an injury

Q: During Tawaf (circumambulation around the Ka`bah), I was injured and bleeding from the injury. Is my Tawaf valid?

A: The preponderant opinion is that bleeding does not affect your Tawaf. Therefore, your Tawaf is valid. This is because the effect of bleeding from an injury on Wudu' is controversial among scholars. Moreover, there is no clear proof that bleeding from an injury invalidates Wudu', especially if the blood is a little. At any case, the soundest view in this regard is that Tawaf is valid, because the basic rule is the validity of Tawaf. The invalidity of Tawaf is a doubtful matter. The difference in this issue is well-known among scholars. The soundest view is the validity of Tawaf. This is the basic rule and the preponderant opinion.

115- The ruling on the Tawaf of a person who touches a non-Mahram woman

Q: During Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj), a man touched an Ajnabiyyah (woman lawful for the man to marry) because of the great crowd. Is his Tawaf invalid? Should he repeat his Tawaf again in comparison to the invalidity of Wudu' (ablution) by means of touching an Ajnabiyyah?

A: Touching the body of an Ajnabiyyah during Tawaf or because of a crowd at any place does not render one's Wudu' or Tawaf invalid, according to the soundest opinion of scholars. Scholars have differed concerning touching an Ajnabiyyah and they have three sayings:

First: It does not violate Wudu' at all.

Second: Touching an Ajnabiyyah renders Wudu' invalid.

Third: Wudu' becomes invalid only if touching an Ajnabiyyah is accompanied by lust.

The most preponderant and soundest viewpoint is that it does not invalidate Wudu' at all. Moreover, if a man touches or kisses his wife, his Wudu' will be valid according to the soundest viewpoint. This is because the Prophet (peace be upon him)

kissed some of his wives and performed Salah (Prayer) without making Wudu' again. Moreover, the basic rule is the validity of Wudu' and Taharah (ritual purification). Therefore, we are not permitted to say that Taharah is violated without having a clear proof that is not contradicted by any other proof. We do not have a proof that points out the invalidity of Wudu' by touching an Ajnabiyyah. As for Allah's saying: ﴾or you have been in contact with women (by sexual relations)﴿ , the soundest interpretation of this Ayah is that this contact refers to sexual intercourse. The same meaning is also applied to the other mode of recitation for the same Ayah, as it also means sexual intercourse. This viewpoint is ascribed to Ibn `Abbas and a group of scholars. It does not mean touching women only as was adopted by Ibn Mas`ud (may Allah be pleased with him). The soundest viewpoint in this regard is what is said by Ibn `Abbas (may Allah be pleased with him) and a group of scholars.

We thus realize that touching the body of an Ajnabiyyah during Tawaf, like Wudu', does not render Tawaf invalid. Moreover, if one touches or kisses his wife, his Wudu' will be valid unless he discharges anything from his private parts. But one should not touch an Ajnabiyyah intentionally.

116- The ruling on touching (the Yemeni Corner) in Al-Ka`bah

Q: What is the ruling on wiping over or pointing at the south-west corner of Ka`bah (Yemeni Corner) druing Tawaf (circumambulation around the Ka`bah)? What is the number of Takbir (saying: "Allahu Akbar [Allah is the Greatest]")

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that should be announced there and upon pointing at or touching Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah)? May Allah reward you well!

A: The one who intends to perform Tawaf should touch Al-Hajar Al-Aswad) and the Yemeni Corner (southern corner of the Ka`bah facing Yemen) in every round of Tawaf. It is recommendable also for him to kiss Al-Hajar Al-Aswad in every round of Tawaf along with touching it if it is possible to do so without any hardship. But if there is any hardship or crowd, it is undesirable to overcrowd to do this. It will be sufficient for him to point at Al-Hajar Al-Aswad with his hand or with a stick along with pronouncing Takbir. As for Yemeni Corner, we do not know any proof for pointing at it. But one is allowed to touch it with his hand and say in "Bismillah" (i.e. the Name of Allah) and pronounce Takbir or pronounce Takbir only. Moreover, he is not permitted to kiss it. But if there is any hardship or crowd, one is not allowed to touch the Yemeni Corner. In this case, one should go on in his Tawaf without pointing at it or pronouncing Takbir when he is parallel to it. This is because it was not reported that the Prophet (peace be upon him) or any one of his Companions did so. I have pointed this issue in my book al-Tahqiq wa al-iydah likathir min masa'il al-Hajj wa al- `Umrah wa al-Ziyarah (Pointing out and clarifying many questions related to Hajj, `Umrah and visit of Madinah).

As for Takbir, it should be pronounced one time only. I do not know any proof for the permissibility of repeating it. One should also say Du`a' (supplication) and Dhikr (Remembrance of Allah) during his Tawaf.

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One should also conclude every round of Tawaf with the famous supplication that the Prophet (peace be upon him) used to conclude every round of Tawaf with. This Du`a' is (Our Lord! Give us in this world that which is good and in the Hereafter that which is good, and save us from the torment of the Fire!)

All kinds of Dhikr and Du`a' mentioned in Tawaf are recommendable and not obligatory. Moreover, one is not permitted to wipe over the two corners next to Al-Hajar Al-Aswad or single them with a special Dhikr or Du`a'. This is because it was not reported that the Prophet (peace be upon him) did so. Allah (may He be Praised) says:(Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow) The Prophet (peace be upon him) said: ("He who did any act for which there is no sanction from our behalf, that is to be rejected.") May Allah grant us success!

Q: Some people touch and rub against Maqam Ibrahim (the Station of Ibrahim) and hold the cover of the Ka`bah. Please, clarify the ruling in this regard.

A: Touching Maqam Ibrahim or the walls of the Ka`bah or its cover is not permissible and is baseless in Shari`ah (Islamic law). Besides, the Prophet (peace be upon him) never did that. He, rather, kissed and touched Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah) and touched

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the internal walls of the Ka`bah. When he entered the Ka`bah, he placed his chest, forearms and cheek against its wall, said "Allahu Akbar [Allah is the Greatest]" in its corners and made prayers. But regarding the exterior of Ka`bah, the Prophet (peace be upon him) did not do any of the things and nothing of these acts was authentically reported from him. It was narrated that he clung to the Multazam (the area between the Black Stone and the door of the Ka`bah) between the Corner and the door, but it is a Da`if (weak) narration but some Sahabah (Companions of the Prophet) (may Allah be pleased with them) did so. Thus, there is nothing wrong in doing that and it is permissible to cling to the Multazam. Besides, kissing Al-Hajar Al-Aswad is Sunnah (supererogatory act of worship following the example of the Prophet).

As for clinging to the cover of the Ka`bah or its external walls, this is baseless in Shari`ah and should not be done, because it is not reported that the Prophet or the Sahabah did it. In the same way, touching or kissing Maqam Ibrahim is baseless act and impermissible, because such an act is Bid`ah (innovation in religion).

As for supplicating to the Ka`bah and seeking its blessings, it is not permissible for this is a form of major Shirk (associating others with Allah in His Divinity or worship). Supplicating to the Ka`bah or touching Maqam Ibrahim seeking the healing of diseases is not permissible and is major Shirk. We seek refuge with Allah from that.

117- Supplication during Tawaf

Q: A questioner from Egypt asks: "Is it permissible to supplicate to Allah during Tawaf (circumambulation around the Ka`bah) for Hajj or `Umrah by saying:

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Take me from darkness to light!'? Are there any specified supplications for Tawaf and Sa`y (going between Safa and Marwah during Hajj and `Umrah) to be read in books as this was done by some pilgrims. Will it be more worthy to supplicate Allah with what was authentically reported without specifying anything? May Allah reward you the best!

A: It is prescribed to supplicate Allah and offer Dhikr (Remembrance of Allah) during Tawaf and Sa`y with what Allah makes easy for you of supplications and Dhikr that bear no legal contradiction. There is nothing specific in this regard. But it is desirable to conclude every round of Tawaf by saying: (Our Lord! Give us in this world that which is good and in the Hereafter that which is good, and save us from the torment of the Fire!) when between the two corners; Yemeni Corner and Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah). It was authentically reported that the Prophet (peace be upon him) did so. It is also recommendable to pronounce Takbir (saying: "Allahu Akbar [Allah is the Greatest]") upon touching and kissing Al-Hajar Al-Aswad and upon pointing at it if it is not easy for you to touch it. It is also recommendable to say upon touching the Yemeni Corner (southern corner of the Ka`bah facing Yemen): Bismillah (saying, in the Name of Allah) and Takbir (saying: "Allahu Akbar [Allah is the Greatest]")"

It is also recommended during Sa`y between Safa and Marwah to say all Adhkar (invocations and Remembrances said at certain times) and supplications reported from the Prophet (peace be upon him) along with raising hands and directing oneself towards Al-Ka`bah. It is also recommendable to recite Allah's saying: (Verily, As-Safâ and Al-Marwah (two mountains in Makkah) are of the Symbols of Allâh.)

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at the beginning of Sa`y as was done by the Prophet (peace be upon him). He said: ((Verily, As-Safâ and Al-Marwah (two mountains in Makkah) are of the Symbols of Allâh.) We shall begin with what Allah begins with.") May Allah grant us success!

118- Ruling on Tawaf behind Maqam Ibrahim or the Zamzam Well

Q: What is the ruling on performing Tawaf (circumambulation around the Ka`bah) from behind Maqam Ibrahim (the Station of Ibrahim) or Zamzam (a well near the Ka`bah)?

A: There is no blame on doing so even if one performs Tawaf from the corridors. But it will be better to be near to Al-Ka`bah during Tawaf. If there is no crowd, it will be recommendable to perform Tawaf near Al-Ka`bah. But if there is any hardship in doing so, there will be no blame on performing Tawaf away from Ka`bah.

119- Perform more Tawaf and Salah

A: Is it better to repeat Tawaf (circumambulation around the Ka`bah) or perform supererogatory Salah (Prayer)?

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A: There is a difference among scholars in this regard, but the worthiest and soundest opinion is that one has to gather between the two good deeds by performing much Salah and Tawaf in order to get the reward of both of them. Some scholars said that Tawaf is better with regard to strangers because they do not have Al-Ka`bah in their countries. Therefore, it will be better for them to perform much Tawaf as long as they are in Makkah. Other scholars gave preference to performing Salah over Tawaf because Salah is better than Tawaf. The best and worthiest viewpoint in this regard is that one should perform them often, even if he is a stranger in order to get the reward of both of them. Therefore, one has to contribute in both of them.

Q: Did the Messenger (peace be upon him) pronounce Takbir (saying: "Allahu Akbar [Allah is the Greatest]") in the final round of his Tawaf (circumambulation around the Ka`bah)?

A: The Prophet (peace be upon him) used to pronounce Takbir in all rounds of Tawaf when he was in parallel with Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah).

120- Ruling on doubting the number of rounds of Tawaf

Q: What is the ruling on a person who doubted the number of rounds of Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah)? Moreover, he performed Sa`y (going between Safa and Marwah during Hajj and `Umrah) after that.

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A: If one doubts the number of rounds of Tawaf (circumambulation around the Ka`bah) after performing Tawaf or upon finishing it and moving to other acts, there will be no blame on him and his Tawaf will be valid. But if one doubts the number of rounds while he is performing Tawaf, he has to complete his Tawaf. If one doubts the number of rounds to be either six or seven rounds, he has to perform the seventh round. But if one doubts the number of rounds after finishing Tawaf as if he thinks that he completed his Tawaf but Satan causes him to doubt his Tawaf, then his Tawaf will be valid. Therefore, if doubting the number of rounds is at the time of Tawaf, one has to perform it again if it is Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah) for those who come from abroad. Moreover, Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) will be sufficient for those who did not perform Tawaf-ul-Qudum if the pilgrim is performing Qiran Hajj (combining Hajj and `Umrah simultaneously) or Ifrad Hajj (performing Hajj only) and keeps the state of Ihram (ritual state for Hajj and `Umrah). But if one performs Tamattu` Hajj (combining Hajj and `Umrah with a break in between) and doubts the number of rounds of Tawaf-ul-Qudum at the time of performing them without making up for what he doubts, he will be regarded as if he did not perform Tawaf at all. In this case, his Hajj will be considered Qiran Hajj because his Tawaf will be come void. But if one doubts after finishing Tawaf, this doubt will be in vain because doubting after finishing acts of worship is to be disregarded.

121. The ruling on women's entrance into Makkah for Tawaf at times of congestion

Q: What is your opinion on women's entrance into Makkah for Tawaf (circumambulation of the Ka`bah) during the nights of

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Fridays and other nights, knowing that such times witness noticeable congestion?

A: Women's non-entrance into Makkah for Tawaf (circumambulation around the Ka`bah) is preferable for them since they mostly neglect wearing the prescribed Hijab (veil) and do not take precautions against hustling with men at the Black Stone as well as in other positions. Thus, it becomes clear that their non-entrance into Makkah (at such times) is much better than entrance, since warding off harm is given precedence over bringing about benefit, especially that the benefit achieved through their entrance is limited to them only, while the consequent harm affects them as well as others. This is quite manifest through the state of women today, with the exception of those (women) whom Allah has mercifully guided. Indeed. Allah is the only Guide to success!

122. It is a permissible to perform two Rak`ahs after every Tawaf

Q: Is it a permissible to perform two Rak`ahs (unit of Prayer) after Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) and Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) behind the Maqam, and what is the proof which supports this act? May Allah reward you well! .

A: It is a permissible after every Tawaf (circumambulation around the Ka`bah) to perform two Rak`ahs behind the Maqam (the Station of Ibrahim) since the Prophet (peace be upon him) would perform two Rak`ahs following Tawaf. Besides, he

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(peace be upon him), performed two Rak`ahs upon completing Tawaf-ul-Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) and then he (peace be upon him) headed to Madinah. However, those who cannot perform prayer behind the Maqam Ibrahim may pray anywhere else in the the Masjid [Al-Haram or the Sacred Mosque in Makkah. Ed.] May Allah grant us success!

123- Offering two Rak'ahs after Tawaf behind Maqam Ibrahim is Sunnah, but not an obligation

Q: Is performing two Rak`ahs (unit of Prayer) behind Maqam Ibrahim (the Station of Ibrahim) obligatory for every Tawaf (circumambulation around the Ka`bah)? What is the ruling on forgetting them?

A: It is not obligatory to perform two Rak`ahs behind Maqam Ibrahim. It will be sufficient to perform them at any place in Al-Haram (the Sacred Mosque in Makkah). But there will be no blame on a person who forgets them because they are supererogatory acts of worship, but not an obligation. May Allah grant us success!

Q: Is it obligatory upon a person who performs Tawaf (circumambulation around the Ka`bah) to perform two Rak`ahs (unit of Prayer) behind Maqam Ibrahim (the Station of Ibrahim)? Can one perform them at any other place in the Haram (the Sacred Mosque in Makkah)?

A: It is not obligatory upon a person who performs Tawaf (circumambulation around the Ka`bah) to perform two Rak`ahs behind Maqam Ibrahim. But it is permissible for him to do so if there is no hardship in doing so.

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Moreover, it will be sufficient for him to perform them at any place in Al-Masjid Al-Haram (the Sacred Mosque in Makkah) or any other place in the Haram (all areas within the Sacred Sanctuary of Makkah). It is not permissible to overcrowd people in order to perform them behind Maqam Ibrahim. But a person should stay away from the crowd and perform them at any place in Al-Masjid Al-Haram. This is because `Umar ibn Al-Khattab (may Allah be pleased with him) performed the two Rak`ahs of Tawaf after Tawaf at Dhu Tua. This area is in the Haram but it is away from Al-Masjid Al-Haram. Likewise, Um Salamah (may Allah be pleased with her) performed the two Rak`ahs of Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) outside Al-Masjid Al-Haram. It appears that the reason behind that is the great crowd or that she intends to point out to people the vastness of the religious ruling on this matter.

124. Drinking Zamzam water is a Sunnah

Q: Is there an authentic Hadith regarding the benefits of Zamzam water ?

A: There are authentic Hadiths which indicate that Zamzam water is honorable and blessed. One of these Hadiths is authentically reported from the Prophet (peace be upon him) that he said about Zamzam (water): ﴾It is blessed (water) and it also serves as (palatable) food.﴿ .

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There is an addition to this Hadith reported by Abu Dawud through a sound chain of narration, which reads : ﴾and a cure of illnesses.﴿ This authentic Hadith, thus, affirms its merit, indicating that is palatable food and a cure of illnesses, and that it is blessed. It also indicates that it is a Sunnah (a commendable act) to drink from it because the Prophet (peace be upon him) did so and because of its inherent bliss. Moreover, it is palatable and blessed nourishment that is recommended when available, just as the Prophet (peace be upon him) did. Again, this authentic Hadith implies, besides its merits of nourishment and cure, that the Muslim is recommended to drink from it if possible. It is even permissible to perform ablution, Ghusl (ritual bath following major ritual impurity) and - in case of necessity - Istinja' (cleansing the private parts with water after urination or defecation) with it. It was authentically reported from the Prophet (peace be upon him) that (once when there was severe water shortage), he had water gushed from his fingers and the Muslims collected what they needed of that water for drinking, performing Wudu' (ablution), cleaning their clothes and performing Istinja'. All these acts took place. Thus, if Zamzam water is not like that which had gushed from the fingers of the Prophet (peace be upon him), it is in no way more blessed than it. Indeed, both are blessed waters. Hence, as was permissible to perform Wudu', Ghusl, Istinja' and washing clothes with the water gushing from between the fingers of the Prophet (peace be upon him), likewise, it is permissible to do so with Zamzam water.

Anyway, the water of Zamzam is pure and palatable water that is recommended for drinking. Besides, there is no

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restriction in performing ablution and washing clothes with it. Moreover, there is no harm, if need arises, in performing Istinja' with it. All praise be to Allah!

125- How to perform Sa`y

Q: How should Sa`y (going between Safa and Marwah during Hajj) be performed? From where should one start Sa`y? How many rounds are there?

A: The Sa`y (going between Safa and Marwah during Hajj) starts from Al-Safa and ends with Al-Marwah. It consists of seven rounds the first of which starts from Al-Safa and the last of which ends with Al-Marwah. During such rounds, one should say utterances of Dhikr (remembrance of Allah), Du`a' (supplication) and Tasbih (saying: "Subhan Allah [Glory be to Allah]"). The pilgrim should repeat Du`a' and Takbir (saying: "Allahu Akbar [Allah is the Greatest]") three times on mounting Al-Safa and Al-Marwah while raising one's hands and facing the Qiblah (direction faced for Prayer towards the Ka`bah) in order to follow the example of the Prophet (peace be upon him).

126. The ruling on the pilgrim who forgets some rounds of Sa`y

Q: What is the religious ruling on the pilgrim who performed `Umrah (lesser pilgrimage) and, out of forgetfulness or lack of knowledge, did not perform four rounds of Sa`y (going between Safa and Marwah during Hajj or `Umrah)? What is he required to do (in compensation)?

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A: Such a person should complete the required rounds of Sa`y, be it during Hajj or `Umrah. Yet, if this person has already travelled back to his country, he woul return back to Makkah and perform the rounds he had forgotten so that his `Umrah would be completed. This case is quite similar, as regards it ruling, to the state of Ihram (ritual state for Hajj and `Umrah) which forbids a person to have intimate relations with his spouse before he finishes his `Umrah. However, it will be safer for him to repeat all the rounds of Sa`y.

127. It is not a condition to perform the rounds of Sa`y in succession

Q: A group of people performed Sa`y between Safa and Marwah, completing only five rounds and then - forgetting the other two rounds - departed from the place, only to remember them when they returned to their residence. What is the religious ruling in that case?

A: Those people who completed only five rounds and then, forgetting the other two rounds, returned to their residence, should turn back to the place of Sa`y (going between Safa and Marwah during Hajj and `Umrah) and perform the remaining two rounds, as there is no restriction on them in this case. This is the soundest view, since it is not a condition to perform the rounds of Sa`y in succession according to the preponderant opinion. Yet, there is harm if they repeat all the rounds once again. Still, the right opinion is that it is sufficient for them to build on the already performed rounds and perform only the remaining two rounds. It is the more preponderant of the recorded two opinions of Muslim scholars on that issue.

128. The ruling on the person who started with Al-Marwah in Sa'y

Q: I am an old man and I performed Tawaf (circumambulation around the Ka`bah) for `Umrah and then performed the seven rounds of Sa`y (going between Safa and Marwah during Hajj and `Umrah). However, I started from Al-Marwah, shortened my hair in Al-Safa and put on sewn clothes. So, what is religious ruling on this case?

A: Such s person has to perform another round of Sa`y because he already missed one, unless he had performed eight rounds of Sa`y; for then there is no harm in doing so. Besides, the first round he performed would be null and ineffective for him since he started Sa`y from Al-Marwah. This means that if he had started Sa`y from Al-Marwah and concluded with Al-Safa the eight rounds, only full seven rounds would be counted for him. Yet, if he had performed seven rounds, then he would be missing one round and should thus perform it shorten his hair again so that his `Umrah would be completed. As for the first shortening of his hair, it is insufficient because it was done before the completion of Sa`y, while the first performed round in which he started with Al-Marwah, is considered invalid.

129. It is obligatory for the pilgrim to either shave or cut his hair short even if he intends to offer sacrifice

Q: His Eminence Shaykh! What is the ruling on the person who intends to perform Hajj, being determined to

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perform Tamattu` Hajj (combining Hajj and `Umrah with a break in between), while he is entrusted by others to offer sacrifices on their behalf; what is the ruling if he wishes to perform Tahallul (final removal of the ritual state for Hajj and `Umrah) after performing the rituals of `Umrah?

A: It is incumbent upon him to either shave or cut his hair short, whether he is offering a sacrifice on behalf of others or of himself, if he is performing `Umrah in the months of Hajj, before he violates any of the prohibitions of Ihram (ritual state for Hajj and `Umrah).

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Chapter on the manner of Hajj and `Umrah

(1) Day of Tarwiyah (8th of Dhul-Hijjah)

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130- This is the way the Prophet (peace be upon him) performed Hajj

All praise be to Allah Alone, and peace and blessings be upon Allah's Servant and Messenger, our Prophet Muhammad, his family, Companions and those who followed their guidance in righteousness until the Day of Judgment!

O Muslims from among the pilgrims of the Sacred House of Allah:

I ask Allah to grant you and us success in doing what pleases Him and safeguard us against misleading temptations! I ask Him also to grant you success in performing your rituals in a way that pleases Allah! May Allah accept your good deeds and admit you to your homes in peace and success, for He is the Best One to be asked for Help!

O Muslims! My advice to all of you is to fear Allah in all cases. You have to set right your life according to the Religion of Allah and warn against what causes His Wrath. The most important and greatest obligation is Tawhid (belief in the Oneness of Allah/ monotheism) and abiding by sincerity to Him in all acts of worship. You should also care for following the example of the Prophet (peace be upon him) in actions and deeds. You also have to perform the rituals of Hajj and all acts of worship according to the teachings of Shari`ah (Islamic law) that was enacted by Allah through His Prophet and the best one of His Creatures, our Prophet Muhammad ibn `Abdullah (peace be upon him). The gravest and most dangerous of all evil deeds

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is Shirk (associating others with Allah in His Divinity or worship). It also means directing all or some of your worship to other than Allah (may He be Praised). Allah (Glorified and Exalted be He) says: ﴾Verily, Allâh forgives not that partners should be set up with Him (in worship), but He forgives except that (anything else) to whom He wills﴿ Allah (Exalted be He) addresses His Prophet Muhammad (peace be upon him) saying: ﴾And indeed it has been revealed to you (O Muhammad صلى الله عليه وسلم), as it was to those (Allâh's Messengers) before you: "If you join others in worship with Allâh, (then) surely (all) your deeds will be in vain, and you will certainly be among the losers."﴿

O pilgrims of Allah's Sacred House! Our Prophet (peace be upon him) did not perform Hajj after his Hijrah (migration) to Madinah except one time only, which was the Farewell Hajj. That was at the end of his life. He (peace be upon him) taught people their rituals by actions and deeds. He (peace be upon him) said: ("Take your (hajj) rituals from me.") Therefore, it is incumbent upon all Muslims to follow his example and perform their rituals of Hajj according to the way he appointed for them. This is because the Prophet (peace be upon him) is a teacher and guide. He was sent as a mercy for all mankind and evidence against all Servants of Allah. Allah (Exalted be He) orders His Servants to obey him and points out that following him is a cause for entering Paradise and salvation from fire. Moreover, following the example of the Prophet (peace be upon him) is a proof of a servant's love of Allah and Allah's Love for His Servant. Allah (Exalted be He) says:

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(And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it). And fear Allâh) ; (And perform As-Salât (Iqâmat-as-Salât), and give Zakât and obey the Messenger (Muhammad صلى الله عليه وسلم) that you may receive mercy (from Allâh).) , (He who obeys the Messenger (Muhammad صلى الله عليه وسلم), has indeed obeyed Allâh) ; (Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow for him who hopes for (the Meeting with) Allâh and the Last Day, and remembers Allâh much.) ;(and whosoever obeys Allâh and His Messenger (Muhammad صلى الله عليه وسلم) will be admitted to Gardens under which rivers flow (in Paradise), to abide therein, and that will be the great success.) (And whosoever disobeys Allâh and His Messenger (Muhammad صلى الله عليه وسلم), and transgresses His limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment.) ; (Say (O Muhammad صلى الله عليه وسلم): "O mankind! Verily, I am sent to you all as the Messenger of Allâh - to Whom belongs the dominion of the heavens and the earth. Lâ ilâha illa Huwa (none has the right to be worshipped but He). It is He Who gives life and causes death. So believe in Allâh and His Messenger (Muhammad صلى الله عليه وسلم), the Prophet who can neither read nor write (i.e. Muhammad صلى الله عليه وسلم), who believes in Allâh and His Words [(this Qur'ân), the Taurât (Torah) and the Injeel (Gospel) and also Allâh's Word: "Be!" - and he was, i.e. 'Isâ (Jesus) son of Maryam (Mary), عليهما السلام], and follow him so that you may be guided.") And (Say (O Muhammad صلى الله عليه وسلم to mankind): "If you (really) love Allâh then follow me (i.e. accept Islâmic Monotheism, follow the Qur'ân and the Sunnah), Allâh will love you and forgive you your sins.) There are many other Ayahs (Qur'anic verse)

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to the same effect. My advice to all of you is to fear Allah in all cases and be sincere in following the example of His Prophet Muhammad (peace be upon him) in his sayings and actions in so as to attain happiness and salvation in this world and the Hereafter. O pilgrims of Allah's Sacred House! Our Prophet Muhammad (peace be upon him) went out, when it was the eighth day of Dhul-Hijjah, from Makkah Al-Mukarramah to Mina while he was pronouncing Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah). He ordered his Companions (may Allah be pleased with them) to pronounce Talbiyah and enter the state of Ihram (ritual state for Hajj and `Umrah) from their homes and go to Mina. He did not ask them to perform Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah). This means that the Sunnah (supererogatory act of worship following the example of the Prophet) for he who intends to perform Hajj from among the people of Makkah and others of those who reside in it, those who end the state of Ihram (ritual state for Hajj and `Umrah) for `Umrah or other pilgrims to go to Mina on the eighth day of Dhul-Hijjah while pronouncing Talbiyah for Hajj. They are not required to go to Al-Masjid Al-Haram (the Sacred

Mosque in Makkah) to perform Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah).

It is recommendable also for a Muslim upon performing Ihram for Hajj to do whatever he does upon entering the state of Ihram in Miqat (site for entering the ritual state for Hajj and `Umrah) with regard to Ghusl (ritual bath following major ritual impurity), applying perfume and purification. The Prophet (peace be upon him) ordered `Aishah (may Allah be pleased with her) to do this when she intended to perform Hajj. She entered the state of Ihram for 'Umrah and then had her menstruation upon entering Makkah. In this case, she was not able to perform Tawaf before going to Mina. The Prophet (peace be upon him) ordered her to perform Ghusl and enter the state of Ihram. She did so and performed Qiran Hajj (combining Hajj and `Umrah simultaneously). It is reported that ﴾The Prophet (peace be upon him) performed Zhuhr (Noon), `Asr (Afternoon), Maghrib (Sunset) and `Isha' (Night) Prayers along with his Companions (may Allah be pleased with them) in Mina in a short form without combining them.﴿ This is the Sunnah (supererogatory act of worship following the example of the Prophet) which comes in pursuit of what the Prophet

(peace be upon him) did. It is recommendable for pilgrims on this journey to devote their times to Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah), Dhikr (Remembrance of Allah), reciting the Qur'an and other kinds of righteous deeds, such as calling people to Islam, enjoining what is good, forbidding what is evil and being benevolent to the poor. It is reported that ﴾When the sun rose on the day of `Arafah, the Prophet (peace be upon him) and the Companions (may Allah be pleased with them) went to `Arafat while pronouncing Talbiyah and Takbir. When he (peace be upon him) reached `Arafat, he stayed in a hair-made tent that was made for him in Namirah in the western area of `Arafah. He (peace be upon him) sat in the shadow of this tent.﴿ This Hadith points out that it is permissible for the pilgrim to sit in the shadow of a tent, tree and the like.

In the afternoon, the Prophet (peace be upon him) mounted his camel and addressed people and admonished them. He taught them the rituals of Hajj and warned them against Riba (usury/interest) and the deeds of Jahiliyyah (pre-Islamic time of ignorance). He told them that their blood, properties

and honors are unlawful for them. Further, he commanded them also to stick to the Book of Allah and the Sunnah of His Messenger. He told them that they will not go astray as long as they are adherent to the Qur'an and the Sunnah of the Messenger (peace be upon him). Therefore, it is incumbent upon all Muslims to abide by this bequest and follow it wherever they are. It is incumbent upon all Muslim rulers to abide by the Qur'an and the Sunnah of the Messenger (peace be upon him) and rule people according to them in all affairs. They have to enforce their people to set their affairs according to it. This is the way of dignity, glory, happiness

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and salvation in this worldly life and in the Hereafter. May Allah grant all Muslim success in so doing! Moreover, the Prophet (peace be upon him) shortened and combined Zhuhr (Noon) and `Asr (Afternoon) Prayers in advance at the time of afternoon. He did so by one Adhan (call to Prayer) and two Iqamahs (call to start the Prayer). He did not separate between the two Salahs (Prayers) with another Salah. Then, he stood at `Arafah and directed himself towards the Qiblah (direction faced for Prayer towards the Ka`bah). He stood upon his camel remembering Allah and supplicating to Him while raising his hands until sunset. He was not observing Sawm (Fast) on this day. Therefore, they came to know that it is recommendable for pilgrims to follow the example of the Prophet (peace be upon him) concerning the day of `Arafat and devote themselves to Dhikr (Remembrance of Allah), Du`a' (supplication) and Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) until sunset. They have to raise their hand in supplication. They should not be observing Sawm (Fast).

It was authentically reported that the Prophet (peace be upon him) said: ﴾There is no day that servants are freed from hellfire more than the day of `Arafah. He (may He be Praised) comes near and vie in glory with you His angels."﴿ It was also reported that the Prophet (peace be upon him) said: ﴾Allah says on the day of `Arafah to his angels: 'Look at my servants! They came to me unkempt and soiled with dust desiring My Mercy. I appoint you as witnesses that I forgive them.'"﴿ Further, it was authentically reported that the Prophet (peace be upon him) said: ﴾"I stood here, But the area of `Arafah is a place where one can stand."﴿

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After sunset, the Prophet (peace be upon him) proceeded to, while in the sate of Talbiyah, Muzdalifah. He performed Maghrib (Sunset) Prayer as three Raka'hs (unit of Prayer) and `Isha' (Night) Prayer as two Rak`ahs with one Adhan and two Iqamahs before preparing themselves to stay. He did not perform any other Salah between them. Therefore, all pilgrims should not delay performing Magrib and `Isha' Prayers in short form and by combining them. They should perform them with one Adhan and two Iqamahs as soon as they reach Muzdalifah before preparing the place to stay for the night even if this was at the time of Maghrib in order to follow the example of the Prophet (peace be upon him). Then, the pilgrims should stay the night there and perform Fajr (Dawn) Prayer along in conformity with the Prophet (peace be upon him) and in accordance with his Sunnah (whatever is reported from the Prophet) with one Adhan and one Iqamah. After staying the night at Muzdalifah, the Prophet moved to Al-Mash`ar-ul-Haram (Sacred Monument) and pronounced Dhikr (Remembrance of Allah), Takbir (saying: "Allahu Akbar [Allah is the Greatest]"), Tahlil (saying: "La ilaha illa Allah [There is no god except Allah]") and Du`a' (supplication). He raised his hands and said: ﴾"I stood here, and the whole of Al-Muzdalifah is a place of standing."﴿

This denotes that all the area of Muzdalifah is a place where pilgrims can stand. All pilgrims should stay the night in their places, remember Allah and seek His Forgiveness. There is no need to go to the place where the Prophet (peace be upon him) stood. The Prophet (peace be upon him) permitted

weak people to leave Muzdalifah to Mina after midnight. This denotes that there is no blame upon old men, weak women, sick people and those who are responsible for them to leave Muzdalifah to Mina after midnight in order to remove any hardship from them. They are permitted to throw Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) at night as it was authentically reported from Um Salamah and Asma' bint Abu Bakr (may Allah be pleased with them both).

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Asma' bint Abu Bakr (may Allah be pleased with her) stated that the Prophet (peace be upon him) made it permissible for women to do this. Moreover, the Prophet (peace be upon him) ﴾moved to Mina after sunrise while pronouncing Talbiyah intending to throw Jamrat-ul-`Aqabah (the closest stone pillar to Makkah). He (peace be upon him) stoned it with seven pebbles. He used to pronounce Takbir (saying: "Allahu Akbar [Allah is the Greatest]") upon throwing every pebble. Then, he slaughtered his Hady (sacrificial animal offered by pilgrims) and had his hair shaved. After that, `Aisha (may Allah be pleased with her) gave him perfume, then he went to perform Tawaf."﴿ ﴾"The Prophet (peace be upon him) was asked on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals (about the ruling on he who slaughtered before throwing pebbles, he who shaved his head before slaughtering the sacrificed animal or he who moved to Al-Bayt (the House: another name for the Ka`bah) to perform Tawaf before throwing the pebbles. He said: 'There is no problem.' The narrator of the Hadith said that the Prophet (peace be upon him) was not asked about anything that was advanced or delayed from its proper order unless he said: 'Do it! there is no hardship on you.'"﴿

Therefore, we came to know that it is recommendable for pilgrims to begin with throwing the pebbles on the Day of `Eid-ul-Adha (the Festival of the Sacrifice), then slaughter their Hady (sacrificial animal offered by pilgrims) and then have their hair shaved or shortened. However, shaving one's hair is better than shortening it. The Prophet (peace be upon him) supplicated to Allah three times to forgive and be merciful with those who have their hair shaved and one time for those who have their hair shortened. By doing so, the pilgrim will have the minor Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving the head and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah). Therefore, he can wear Makhit (clothes sewn to fit body limbs) and apply perfume. He can do whatever was made unlawful for him while he was in the state of Ihram except for having sexual intercourse with their spouses. Then, he goes to Al-Bayt (the House: another name for the Ka`bah) to perform Tawaf on the day Day of `Eid-ul-Adha (the Festival of the Sacrifice) after that. He can also perform going between Al-Safa and Al-Marawah if he is performing Tamattu` Hajj (combining Hajj and `Umrah with a break in between).

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By doing so, everything that was made unlawful for him due to Ihram will be lawful even if having sexual intercourse with his wife.

If the pilgrim is performing Qiran Hajj (combining Hajj and `Umrah simultaneously) or Ifrad Hajj (performing Hajj only), it will be sufficient for him the first Sa`y (going between Safa and Marwah during Hajj and `Umrah)he performed along with Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah). If he did not perform Sa`y while performing Tawaf Al-Qudum, he should perform Sa`y at the time of Tawaf Al-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj).

Then, the Prophet (peace be upon him) returned to Mina. He stayed there the rest of the day of Nahr, the eleventh, twelfth and the thirteenth days of Dhul-Hijjah to throw the pebbles every day of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) after midday. He (peace be upon him) used to throw every stone pillar with seven pebbles. He used to pronounce Takbir with every pebble.

Moreover, he (peace be upon him) used to supplicate to Allah raising his hands after throwing the first and second stone pillars. He should make the first stone pillar on his left hand and the second one on his right hand upon supplicating to Allah. He should not stay at the third one. Then, the Prophet (peace be upon him) moved on the thirteenth day of Dhul-Hijjah after throwing the pebbles and stayed at Al-Abtah where he performed Zhuhr, `Asr, Maghrib and `Isha' Prayers there.

Then, he (peace be upon him) moved to Makkah at the end of the night. He led people in Fajr Prayer and performed Tawaf-ul-Wada` before performing Fajr Prayer. Then, he (peace be upon him) moved to Madinah in the morning of the fourteenth day.

Therefore, we came to know that it is recommendable for the pilgrim to follow the example of the Prophet (peace be upon him) during the days of staying at Mina. Therefore, one should throw the three stone pillars after midnight everyday. Each one should be stoned with seven pebbles along with pronouncing Takbir with every pebble he throws.

It is recommendable for the pilgrim to stand after throwing the first stone pillar, direct himself towards Qiblah (direction faced for Prayer towards the Ka`bah) and supplicate to Allah while raising their hands. The pilgrim has to make the Qiblah on his left hand. He has also to stand after throwing the second stone pillar and make the Qiblah on his right hand. This is a recommendable act and not an obligatory one. He should not stand after throwing the third stone pillar. If it is not easy for him to throw pebbles after midnight and before sunset, he can throw pebbles at night for the previous day according to the soundest opinion of scholars out of Allah's Mercy for His Servants and in order to remove any hardship from them. Moreover, he who desires to move from Mina after throwing pebbles on the twelfth day of Dhul-Hijjah, there is no harm in doing so. Yet, staying on the thirteenth day is better because it conforms to the example of the Prophet (peace be upon him). Moreover, the Sunnah Sunnah (supererogatory act of worship following the example of the Prophet) that should be followed by the pilgrim is to stay the night at Mina on the eleventh and twelfth nights of Dhul-Hijjah. Staying the night at Mina is obligatory according to the view of many scholars. It will be sufficient to achieve this if you stay most of the night at Mina, if it is easy for you to do this. He who has a legal excuse, such as butlers, herdsman and the like, are not required to stay the night there. As for the thirteenth day of Dhul-Hijjah, it is not incumbent upon pilgrims to stay this night in Mina if they hasten to leave Mina before sunset on the twelfth day. But he who intends to stay the night at Mina, has to stay the night of the thirteenth day. Then, he should throw pebbles after midnight and then move. Moreover, no one is permitted to throw pebbles after the thirteenth day even if he stays at Mina.

When the pilgrims intend to return to their countries, they have to perform Tawaf-ul-Wada` before their departure. This is because the Prophet (peace be upon him) said:

("None should leave (Makkah) until the last thing he does is to circumambulate the House.") But the menstruating woman and the woman in the postpartum period are not required to perform Tawaf-ul-Wada`. It was authentically reported that Ibn `Abbas (may Allah be pleased with him) said: ("The people were ordered to perform the Tawaf of the Ka`ba (Tawaf-al-Wada`) as the last thing, before leaving (Makkah), except the menstruating women who were excused.") (Agreed upon by Al-Bukhari and Muslim) The same ruling is also applied to the women in the postpartum period.

He who delays Tawaf Al-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) until the time of his departure, will not be required to perform Tawaf-ul-Wada' (circumambulation around the Ka`bah on leaving Makkah) on account of the general meanings of the two mentioned above Hadiths. I ask Allah to grant all of us success in doing what pleases Him! We ask Him also to accept

your good deeds and save us and you from Fire for He is the Guardian of all this and All-Able to do it!
May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

131. Pilgrims' activities on the 8th of Dhul-Hijjah

Q: What should a pilgrim do on the 8th of Dhul-Hijjah?

A: The 8th of Dhul-Hijjah is the Muhall (site for entering the state of ritual state for Hajj and `Umrah) of Ihram if he is in Makkah and has performed Tahalul (removal of the ritual state for Hajj and `Umrah) or if he intends to perform Hajj while being of the people of Makkah who reside in it. Then, it is preferable for him to enter into the state of Ihram on the 8th day since the Prophet (peace be upon him) instructed the Companions (may Allah be pleased with them) who had performed Tahalul for `Umrah to do so. Thus, they entered into the ritual state of Ihram for Hajj on the 8th day and then headed for Mina. This is the most preferable practice for the pilgrim, i.e., to enter into the ritual state of Ihram from his residence, perform Ghusl (ritual bath following major ritual impurity), apply perfume, wear Izar (garment worn below the waist) and Rida' (garment worn around the upper part of the body) and then head for Mina in a state of Ihram. Moreover, he does not need to perform Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) whether his residence was in Al-Haram (all areas within the Sacred Sanctuary of Makkah) or in Al-Hil)all areas outside the Sacred Sanctuary of Makkah) Likewise, a woman should enter into the state of Ihram from her house or camp or any other place, have a bath, apply suitable perfume, wear decent clothes that involve no temptation and then head to Mina, with no need for Tawaf-ul-Wada`. Such is the recommended practice on the 8th day. However, if one enters into the state of Ihram before the 8th, there is no harm in it. Yet, the 8th day is the preferable day for it. Likewise, if he delays it to the 9th day, there is no harm; yet, it is still preferable to enter into Ihram on the 8th day, as is indicated above, since the Prophet (peace be upon him) instructed his Companions to do so.

Q: If a person who intends to perform Hajj departed from Makkah on the 8th of Dhul-Hijjah and had a bath in Mina, is this sufficient for him, and what is he required to do?

A: If he performed Ghusl (ritual bath following major ritual impurity) in Mina, there is no harm in doing so. However, it is preferable for him to have a bath before putting on the clothes of Ihram, in his house or in any other place in Makkah. Then, he should enter into the ritual state of Ihram for Hajj in his house, with no need for him to enter into Al-Masjid Al-Haram (the Sacred Mosque in Makkah) for Tawaf (circumambulation around the Ka`bah) because the person going out to Mina on the Day of Tarwiyah (8th of Dhul-Hijjah) is not required to perform Tawaf-ul-Wada`. In addition, if one enters into the ritual state of Ihram without having a bath, there is no blame on him, and if he does so later in Mina, while being in a state of Ihram, there is no harm upon him too. However, it is much better and the Sunnah (supererogatory act of worship following the example of the Prophet) is that he has a bath before he enters into the ritual state of Ihram. Yet, if he enters into the state of Ihram without having a bath or even without Wudu (ablution), there is no harm upon him, since having a bath is a Sunnah (a commendable act) and so is Wudu on that occasion.

132- Ruling on not spending the night in Mina on the eighth night of Dhu-l-Hijjah

Q: What is the ruling on a person who did not spend the night in Mina on the eighth night of Dhu-l-Hijjah because of the fire that broke out in Mina in 1417 A.H.?

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A: Nothing is required from such a person, because spending the night in Mina on the eighth night is Mustahab (desirable) but not Wajib (obligatory). However, if you did not spend the night in Muzdalifah on the ninth night after leaving `Arafah, you would have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) to be slaughtered in Makkah and distributed among the poor. The Dam should be a sacrificial animal meeting the conditions of Ud-hiyah (sacrificial animal offered by non-pilgrims). Moreover, if you did not spend the night of the eleventh day Mina, you would have to give in charity as much as possible. However, if you slaughter a sacrificial animal for the poor in Makkah, then it will more precautionary and discharging of the obligation.

133- The place of entering the state of Ihram on the day of Tarwiah

Q: From where should the pilgrim assume Ihram (ritual state for Hajj and `Umrah) on the Day of Tarwiyah (8th of Dhul-Hijjah)?

A: A The pilgrim should assume Ihram (ritual state of Hajj and `Umrah) from his house as done by the Companions of the Prophet (peace be upon him) who assumed it from their houses in Al-Abtah during the Farewell Hajj based on the order of the Prophet (peace be upon him) to do so. Likewise, those who live within the boundaries of Makkah should assume Ihram from their houses. This is based on the Hadith mentioned earlier and which is reported on the authority of Ibn `Abbas that Allah's Messenger (peace be upon him) said: (Whoever is living within these boundaries - i.e., Miqats (sites for entering the ritual state for Hajj and `Umrah) - can enter Ihram from the place he starts, and the people of Makkah can start from Makkah.) (Agreed upon by Al-Bukhari and Muslim)

Q: If someone is living in Mina before the Day of Tarwiyah (8th of Dhul-Hijjah), should he enter and assume Ihram (ritual state for Hajj and `Umrah) from Makkah? Or, should he assume Ihram from Mina?

A: A person living in Mina should assume Ihram from Mina, all praise be to Allah, without any need to enter into Makkah. Rather, they should enter the state of Ihram from his place once Hajj is due.

134- It is a Sunnah for a pilgrim to assume Ihram on the eighth day of Dhul-Hijjah before noon

Q: Some pilgrims stay on the eighth day in Makkah without assuming Ihram (ritual state for Hajj and 'Umrah) and thus abandon acts of Sunnah (whatever is reported from the Prophet) to be done on the Day of Tarwiyah (8th of Dhul-Hijjah). Thus, they remain in their houses until the ninth day on which they go to 'Arafah justifying doing so on the pretext that acts to be done on the Day of Tarwiyah are only supererogatory and that Hajj is 'Arafah. What is the opinion of Your Eminence on this act?

A: It is unobjectionable to do so. However, the Sunnah is to assume Ihram on the eighth day of Dhul-Hijjah before noon and then head for Mina where one should offer Zhuhr (Noon), 'Asr (Afternoon), Maghrib (Sunset), 'Isha' (Night) and Fajr (Dawn) Prayers, shortening but not combining them.

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One should then head for 'Arafah after sunrise as the Prophet (peace be upon him) did so and ordered his Sahabah (Companions) who ended their state of Ihram for 'Umrah (lesser pilgrimage) to do so.

135- Combining and shortening of Salah by pilgrims

Q: Is the permissibility of shortening Salah (Prayer) for the people of Makkah while performing the rituals of Hajj exclusive to pilgrims only? Or, does it include even sellers and others who are not observing Hajj form among them who go to places where rituals are performed?

A: The well-known opinion expressed by scholars is that shortening of Salah (Prayer) is exclusively permissible only for the pilgrims from among the people of Makkah, according to the opinion of those who view it is permissible for them to do so.

However, the Jumhur (dominant majority of scholars) view that it is impermissible for the people of Makkah to shorten or combine Salahs (Prayers) as they are not on a journey. Moreover, they have to perform all Prayers in full in their due times.

With reference to the opinion that it is permissible for pilgrims only, it will be permissible exclusively for the pilgrims from among the people of Makkah, which is the preponderant view. This is because the Prophet (peace be upon him) did not order his Companions (may Allah be pleased with them all) to offer Salah in full.

As for sellers and others who do not intend to perform Hajj, they are to offer Salah in full and should not combine Salah as it is the case with the other inhabitants of Makkah.

Q: Is it permissible for the pilgrims to combine Salah (Prayers) in Mina on the Day of Tarwiyah (8th of Dhul-Hijjah), as it is permissible for them to shorten them? What is the ruling with respect to validity on those who combined Prayers?

A: There is no harm in combining Salah (Prayer) as far as I know because if shortening is permissible, combining will be more preferable because its reasons are numerous unlike shortening which has no reason but when on journey. It is better to abandon it because the Prophet (peace be upon him) did not combine Salah in Mina; neither on the Day of Tarwiyah or the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah). Muslims should follow the Prophet (peace be upon him) for he is the good example to be followed.

Q: Is it authentically reported that the Prophet (peace be upon him) combined between Dhuhr (Noon) Prayer and `Asr (Afternoon) Prayer and between Maghrib (Sunset) and `Isha' (Night) Salahs while on a journey during which he stayed at a certain place? For example, he stayed at Makkah waiting for Hajj and stayed also at Makkah during the time of Makkah Conquest. He also stayed at Tabuk.

A: The Prophet (peace be upon him) is authentically reported to have combined Salah while in the battle of

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Tabuk while resident there. This is related by Imam Muslim on the authority of Mu`adh (may Allah be pleased with him)

As for the Prophet's (peace be upon him) staying in Makkah on the day of the Liberation of Makkah and during the Farewell Hajj, I have known no explicit Hadith to this effect. However, the literal meaning of some Hadiths implies that he would combine Salah at Al-Abtah during the Farewell Hajj. However, this is not expressed explicitly in the Hadith and thus it is better not to be done as in Mina. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions! As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

136- The well-known established Sunnah is that all pilgrims should shorten Salah in Mina without combining

Q: Is shortening and combining Salah (Prayer) while in Mina, `Arafah, and Muzdalifah on the Day of Tarwiyah (8th of Dhul-Hijjah), the Day of `Arafah, on the night of Muzdalifah and on the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) permissible for all Hajjis in general, including the pilgrims of Makkah Al-Mukarramah? If yes, is this exclusive to the three places where rituals are performed, i.e., Mina, `Arafah and Muzdalifah? Or, is it one of the characteristics of Hajj in general and thus it is permissible to do so in these three places as well as in other districts of Makkah? It is authentically reported in Sahih Muslim (authentic book of Hadith) on the authority of `A'ishah (may Allah be pleased with her) that Allah's Messenger (peace be upon him): (offered Dhuhr (Noon) Salah on the day of `Eid **at Makkah** after going to perform Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj).) **Thus, did he**

shorten Salah or offer it in full? If the answer is the former, which is more likely, it is supposed that he led in Salah some Hajjis including Hajjis from among the people of Makkah when they went to perform Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) following his performance. Did they shorten Salah like him? Or, did he say to them in Al-Abtah before assuming Ihram (ritual state for Hajj and `Umrah): "Perform Salah in full, O people of Makkah, for we are on a journey"?

A: According to the apparent sound (supererogatory act of worship following the example of the Prophet) known from the Farewell Hajj performed by the Prophet (peace be upon him), all pilgrims should shorten Salah in Mina only without combining. They should also shorten and combine Prayers in `Arafah and Muzdalifah, were they coming from abroad or from among the people of Makkah and its surroundings. This is because the Prophet (peace be upon him) did not order the people of Makkah to perform Salah in full.

As for the Prophet's offering of Dhuhr (Noon) Prayer in Makkah on the day of `Eid [namely `Eid-ul-Adha (the Festival of the Sacrifice). Ed.], he shortened it and continued shortening Salah until he returned to Madinah. This is authentically reported in the authentic Hadiths including the one narrated on the authority of Anas (may Allah be pleased with him) and others. The Prophet (peace be upon him) did not order the people of Makkah to offer Prayer in full as this is intuitively known on the part of those resident in Makkah.

However, he is reported to have said so on the day of the Opening of Makkah, where he led people in the Prayer he shortened at Al-Masjid Al-Haram (the Sacred Mosque in Makkah). However, reliability of the Sanad (chain of narrators) of this Hadith is controversial. Yet, it is given more authority by the basic principle, i.e.,

those resident in Makkah or elsewhere should not shorten Salah as they are not on a journey,

bearing in mind that shortening Salah is permissible exclusively for those on a journey. May Allah grant us success!

Chapter on the manner of Hajj and `Umrah

2- The Day of `Arafah

137- The time when pilgrims head for `Arafat and leave it

Q: When should Hajjis head for `Arafah and when should they leave it?

A: They should head for it after sunrise on the Day of `Arafah, which is the ninth day. They should perform Dhuhr (Noon) and `Asr (Afternoon) Prayers there, shortening them, combining them at the time of the former and announcing one Adhan (call to Prayer) and two Iqamahs (calls to start the Prayer) following the example of the Prophet (peace be upon him) and his Companions (may Allah be pleased with them). They should remain there until sunset occupying themselves with Dhikr (Remembrance of Allah), Du`a' (supplication), reciting the Qur'an and Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah). It is recommended to frequently say: "La ilaha ill-Allah wahdahu la sharika lah, lahu'l-mulk wa lahu'l-hamd wa huwa 'ala kulli shay'in Qadir. (There is no god but Allah alone, with no partner or associate, His is the dominion and to Him be praise, and He is Able to do all things) and "Subhan-Allah w-l-hamdu Lillah wa la ilaaha ill-Allah wa Allahu akbar wa la hawla wa la quwwata illa Billah"

(Glory be to Allah, praise be to Allah, there is no god except Allah and Allah is Most Great, there is no God except Allah and there is no power and no strength except with Allah). They should also supplicate to Allah while raising their hands and facing the Qiblah (direction faced for Prayer towards the Ka`bah), praising Allah and invoking blessings on the Prophet (peace be upon him) before supplication. In fact, all of `Arafah is the place of standing. However, once the sun sets, it will be permissible for the pilgrims to leave to Muzdalifah in gravity and serenity while saying Talbiyah. Once they arrive in Muzdalifah, they should perform Maghrib (Sunset) and `Isha' (Night) Prayers announcing one Adhan and two Iqamahs, offering three Rak`ahs (units of Prayer) for Maghrib and two Rak`ahs for `Isha'.

Q: If a pilgrim leaves Mina to `Arafah before sunrise, what is he liable for?

A: He is liable to nothing. Nevertheless, it is better for him to head to `Arafah after sunrise following the example of the Prophet (peace be upon him).

The ruling on combining and shortening Salah on the Day of `Arafah

Q: Is combining and shortening Zhuhr (Noon) Prayer and `Asr (Afternoon) Prayer in `Arafah obligatory or it is permissible to offer them complete in their due time?

A: Combining and shortening Zhuhr and `Asr in the valley of `Uranah in `Arafat with one Adhan (call to Prayer)

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and one Iqamah (call to start Salah) is a stressed Sunnah performed by the Prophet (peace be upon him) during the Farewell Hajj. It is not permissible for a believer to work against the Sunnah. However, doing so is not obligatory according to the view of the people of knowledge, but a stressed Sunnah. If a person on journey has completed his Salah, it is considered valid but shortening is stressed because the Messenger (peace be upon him) did it and said: ⟨Take your (hajj) rituals from me.⟩ It is not permissible for him to work against the Sunnah but to combine and shorten Salah in advance with the people then head to the place where the people stand in `Arafah. If he offered Salah in `Arafah and couldn't reach the valley of `Uranah, there is no harm in doing so to ward off hardships. Nowadays, people need to get rid of crowdness by every permissible means.

139- Whoever misses staying in `Arafah in the daytime may do so at night

Q: A person performed Hajj but could not stay in `Arafa during the daytime due to conditions of their work; is it permissible for them to do so at night after people leave the place? If so, how much time suffices them to stay there? Does it

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suffice them to pass by through `Arafah in their car?

A: Time for staying in `Arafah extends from the break of dawn of the ninth day of Dhul-Hijjah to the break of dawn of the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals). Thus, it suffices a pilgrim to stay in `Arafah during the night if they could not stay there in the daytime of the ninth of Dhul-Hijjah. This applies even if such a pilgrim stays in `Arafah for some time, even a few minutes, just before the dawn of the tenth of Dhul-Hijjah or that they pass by their car via `Arafat. However, it is better for the concerned pilgrim to situate at `Arafah and make Du`a' (supplication) there at the time when people gather there. It is better for such a pilgrim to have Khushu` (the heart being attuned to the act of worship) and long for Allah's Mercy as other pilgrims do. It is also better for them to do their best to be at `Arafah as early as possible, to stay there even for a little, and to raise their hands invoking their Lord. Afterwards, the pilgrim goes to Muzdalifah, stay there for the whole night, offer Fajr (Dawn) Prayer there, then make a lot of Dhikr (Remembrance of Allah) and Du`a' (supplication) while facing the Qiblah (direction faced for Prayer towards the Ka`bah) and stretching their hands until it shines. They then are to go with other pilgrims to Mina before sunrise as was done by the Prophet (peace be upon him).

140- Ruling on situating outside the borders of `Arafah

Q: What is the ruling on a pilgrim who situated outside - though near to - the borders of `Arafah until sunset?

A: Whoever does not situate at `Arafah during the appointed time their Hajj is considered void for the Prophet (peace be upon him) said: ﴾Hajj is (to situate at) `Arafah).﴿ However, whoever situates at `Arafah during the night and before the break of dawn; their Hajj is valid.

It is worth mentioning that, according to the consensus of Muslim scholars, timing for situating at `Arafah starts after the noon of the Day of `Arafah (9th of Dhul-Hijjah) and lasts until the break of dawn of the Day of Sacrifice (10th of Dhul-Hijjah).

However, scholars differ with regard to situating at `Arafah before noon and the majority of them are of the view that doing so is insufficient. Anyway, whoever situates at `Arafah after noon or at night, their Hajj is valid. On the other hand, it is better to start situating at `Arafah after performing Zhuhr (Noon) and `Asr (Afternoon) Prayers at the time of Zuhr Prayer and to remain there until sunset. This is because whoever situates at `Arafah in the daytime is not permitted to leave it before sunset. Otherwise,

such a person will have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) for abandoning one of the obligatory acts of Hajj, i.e., combining between situating at `Arafah in the daytime and at night for whoever situated at `Arafah in the daytime.

Q: Is the pilgrimage of a person situated in Batn `Uranah's valid? Besides, are there any specific preferred places in `Arafah?

A: The Prophet (peace be upon him) said: (Hajj is (to be situated at) `Arafah. ) Accordingly, if a pilgrim situates outside `Arafah, in `Urnah, or anywhere else; their Hajj is void. However, if a person enters `Arafah after the noon of the Day of `Arafah or during the night before the Day of Sacrifice (10th of Dhul-Hijjah), their Hajj is valid. However, whoever does not enter `Arafah after the noon of the Day of `Arafah or during the night before the Day of Sacrifice, their Hajj is void.

141- Ruling on leaving `Arafah before sunset

His Eminence Shaykh `Abdul-`Aziz ibn Baz, may Allah safeguard you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

We are a group of physicians who came from some Muslim countries to work at Makkah Al-Mukarramah during the period of Hajj. We thus made the intention to make Tamattu` Hajj (combining Hajj and `Umrah with a break in between) and performed `Umrah (lesser pilgrimage). However, due to our work conditions we will not be able to situate in `Arafah for one part of the night as we have to go back to work before sunset. It may be worth mentioning that we know that Hajj (is mainly to situate at) `Arafah. We may not have any more chance to perform Hajj again though we have already offered the obligatory Hajj. Besides, what do we have to do if we take off Ihram (clothing worn during the ritual state for Hajj and `Umrah) before minor Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving the head and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah) and before we throw the pebbles at Jamrat-ul-`Aqabah as we are not allowed to put on Ihram clothes at our work places? May Allah reward you well!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

Whoever situates at `Arafah in the daytime has to remain there until sunset. If a person leaves `Arafah before sunset and does not come back later, they have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah).

However, if a person situates at `Arafah during the night before the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals), they are not required to make any offer anything.

On the other hand, it is impermissible to take off Ihram clothes before minor Tahalul unless there is a necessity or a Shar`y (Islamic legal) excuse to do so. Whoever takes off Ihram clothes and puts on Makhit (clothes sewn to fit body limbs) such as a shirt, etc., they have to offer a Fidyah (ransom) of either observing Sawm (Fast) for three days, slaughtering an animal, or feeding six needy persons the amount of half a Sa` (about 1.5 kl.) for each one of them from the staple food of the country. The same applies if a person covers his head with a turban and the like. May Allah grant us success! As-salamu `alaykum warahmatullah wabarakatuh.

Q: Some of those who are in charge of pilgrims' groups instruct people to leave `Arafah before sunset, what is the ruling on this act?

A: They should not be obeyed. Rather, they have to be forbidden to do so. This is because the Prophet (peace be upon him) did not leave `Arafah until sunset and said: (Take your (hajj) rituals from me.) [i.e. follow my example and imitate me. Ed.] (Related by Muslim in his Sahih)

142- It is better for pilgrims who arrive on the Day of `Arafah to perform Tamattu` Hajj

Q: Can a pilgrim who arrive from their country on the ninth of Dhul-Hijjah join Hajj? What do they have to do? Which of the three types of Hajj do they have to perform? Besides, what is the time limit for standing in `Arafah?

A: Yes, such a person may join Hajj. If they bring a Hady (sacrificial animal offered by pilgrims) with them, they should perform Qiran Hajj (combining Hajj and `Umrah without a break in between). Otherwise, they may perform Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between) or Ifrad Hajj (performing Hajj only). Yet it is better for pilgrims who have not brought Hady to perform Tamattu` Hajj. The time limit for standing in `Arafah is the dawning of the Day of `Eid-ul-Adha (the Festival of the Sacrifice).

143- Tahalul after `Umrah and Ihram for Hajj when a Mutamatti` runs out of time

Q: I intended Hajj on behalf of my father on the Day of Tarwiyah (8th of Dhul-Hijjah). I thus left Riyadh by airplane in the afternoon and reached Makkah before sunset. I formed the intention for Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between) at coming in line with the Miqat (site for entering the ritual state for Hajj and `Umrah).

After finishing `Umrah (lesser pilgrimage) at ten o'clock at night I went to the bathroom in Makkah where I performed Tahalul (removal of the ritual state for Hajj and `Umrah). I took off Ihram (ritual state for Hajj or `Umrah) clothing, made Ghusl (full ritual bath) and put on Ihram clothing again. I went to Mina while I am a Muhrim (pilgrim in the ritual state for Hajj and `Umrah) and I spent there the night before the Day of `Arafah (9th of Dhul-Hijjah). I then completed the rituals of Hajj. My question is whether a Mutamatti` (pilgrim performing 'Umrah during the months of Hajj followed by Hajj in the same year with a break in between) should first perform Tahalul then go to Mina and assume Ihram for Hajj from there, or is it not a condition?

Am I required to offer any atonement for putting on Ihram for Hajj at the Haram (the Sacred Mosque in Makkah) immediately after I had finished `Umrah? Provide me with your beneficial answer, please.

A: The course of action you have followed is actually the Sunnah (action following the example of the Prophet) regarding Tamattu` Hajj. Moreover, it is permissible for a pilgrim who performs Tamattu` Hajj to form the intention for Hajj immediately after shortening their hair without taking off Ihram clothing, though it is better and more perfect that they take the Ihram clothing off, make Ghusl, apply perfume, then put on Ihram again for Hajj. May Allah grant us success!

144- Namirah is not part of `Arafah according to the preponderant scholarly opinion

Q: Is the report saying: "Then the Prophet (peace be upon him) went to `Arafah and a tent was pitched for him in Namirah" mean that Namirah is part of `Arafah?

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A: This is a controversial matter among scholars. Some hold the opinion that Namirah is part of `Arafah while others state that it is not part of it. However, the widely-known opinion is that Namirah is not part of `Arafah. Namirah only lies in front of `Arafah. This is the preponderant opinion.

145- Location of standing at Mount Al-Rahmah

Q: Concerning the description of Hajj performed by the Prophet (peace be upon him), what is meant by the phrase saying: "And he (peace be upon him) made the walkway before him"?

A: It means that the path was in front of the Prophet (peace be upon him) and the mountain was a little to his right, while he was facing the Qiblah (Ka`bah-direction faced for Prayer) and standing in `Arafah.

146- Ruling on standing in `Arafah one day before or after the ninth of Dhul-Hijjah

Q: What is the ruling on people who stand in `Arafah one day after the ninth of Dhul-Hijjah and believe that if any of them performs Hajj without being accompanied by one of the followers of Makramiyyah Order, their Hajj will be Batil (null and void)?

A: It is not permissible for any Muslim to diverge from the Muslim mainstream, whether regarding Hajj or any other matter.

This is because Allah (Glorified and Exalted be He) says: ﴿And hold fast, all of you together, to the Rope of Allâh (i.e. this Qur'ân), and be not divided among yourselves﴾ And: ﴿And whoever contradicts and opposes the Messenger (Muhammad صلى الله عليه وسلم) after the right path has been shown clearly to him, and follows other than the believers' way, We shall keep him in the path he has chosen, and burn him in Hell - what an evil destination!﴾ Moreover, the Prophet (peace be upon him) said: ﴿You must adhere to my Sunnah (Way) and the Sunnah of the righteous, Rightly-guided Caliphs; hold fast to it and bite onto it with your molars (i.e. cling firmly to it). Beware of newly-invented matters (in religion), for every newly-invented matter is a Bid`ah (innovation in religion), and every Bid`ah is a Dalalah (deviation from the right).﴾ The Prophet (peace be upon him) also said in his Friday Khutbah (sermon): ﴿Ama Ba`d (Now then), the best of speech is the Book of Allah, the best of guidance is the guidance of Muhammad (peace be upon him), the most evil of matters are those which are newly-invented (in religion), and every Bid`ah (innovation in religion) is a Dalalah (deviation from the right).﴾ In addition, the Prophet (peace be upon him) said: ﴿Sawm (Fasting, i.e. beginning of Ramadan) is the day when you fast; Fitr (Breaking the Fast, i.e. end of Ramadan) is the day when you end the fast, and Al-Adha (the Festival of the Sacrifice) is the day when you sacrifice.﴾

It is worth mentioning that all Muslims who performed Hajj with the Prophet (peace be upon him) stood in `Arafah on the ninth of Dhul-Hijjah.

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None of them stood there before this timing or after it. The Prophet (peace be upon him) instructed, saying: (Learn your (Hajj) rituals from me.) This Hadith signifies that it is Wajib (obligatory) on Muslims to perform their Hajj in the same way the Prophet (peace be upon him) did regarding standing in `Arafah, proceeding to Muzdalifah, etc.

Afterwards, the Rightly-Guided Caliphs i.e., Abu Bakr, `Umar, `Uthman, and `Aly followed the honorable Manhaj (methodology) of the Prophet (peace be upon him) and stood in `Arafah along with all Muslims on the ninth of Dhul-Hijjah; they did not stand in `Arafah before the ninth day or after it.

On the other hand, nothing is reported from the Prophet (peace be upon him) or any one of his Sahabah (Companions, may Allah be pleased with them all) to the effect that Hajj of any Muslim individual is invalid unless they are accompanied by such and such a person.

Accordingly, this sect that stands in `Arafah after the ninth of Dhul-Hijjah is Mubtadi`ah (introducing innovations in religion) as it contradicts Shari`ah (Islamic law) and the practice of the Prophet (peace be upon him), his Sahabah, and all their righteous followers. Moreover, Hajj of the members of such a sect is Batil, because Hajj is mainly to stand in `Arafah and whoever does not stand in `Arafah on the ninth day of Dhul-Hijjah or on the night of Nahr (Sacrifice, 10th of Dhul-Hijjah) - which is the tenth night - will have their Hajj rejected.

The claim that every pilgrim among them has to be accompanied by one of the followers of Makramiyyah Order represents a completely baseless and false condition, for it contradicts the purified Shari`ah.

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Therefore, it must be rejected and discarded. It is the duty of every Muslim to exert their utmost efforts to understand their Din (religion of Islam) and know its rulings regarding Hajj and all other matters, so that they can perform the different acts of `Ibadah (worship) correctly. The Prophet (peace be upon him) said: (When Allah wants to do good to a person, He makes them comprehend Din.) (Agreed upon by Imams Al-Bukhari and Muslim)

147- Standing in `Arafah must be with all the pilgrims not based on calculation. Q: What is the ruling on people who define the time for standing in `Arafah according to a monthly calculation that they do, consequently, they sometimes stand in `Arafah with Muslims or one day before or after them? It may be worth mentioning that the concerned people perform Hajj only while being accompanied by one of the followers of Makramiyyah Order, for they believe that doing so is a condition of validity of Hajj?

A: What is mentioned in the question regarding the concerned sect contradicts Shari`ah

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in two central respects:

First: Such a sect deviates from the great majority of Muslims by not standing with them, whereas it is Wajib (obligatory) on Muslims to be one hand in sticking to the truth and to avoid straying from the mainstream of believers, out of fear of the punishment that Allah will bring upon those who deviate from their path, saying: (And whoever contradicts and opposes the Messenger (Muhammad صلى الله عليه وسلم) after the right path has been shown clearly to him, and follows other than the believers' way, We shall keep him in the path he has chosen, and burn him in Hell - what an evil destination!)

As for their opinion that every month has to always be thirty days, this is another grave mistake on

their part that contradicts the Sunnah (acts, sayings or approvals of the Prophet) and Ijma` (consensus of scholars).

Second: Their saying that it is a condition of validity of Hajj that a pilgrim be accompanied by one of the followers of Makramiyyah Order is Batil, for it has no basis in the purified Shari`ah. Rather, such a saying contradicts the Qur'an, Sunnah, and Ijma`. None of the Muslim scholars ever said that pilgrims must have in their company such and such a person for Hajj to be valid. It is one of the repulsive Bid`ahs (innovations in religion) that has no origin among Muslims.

148- Making Du`a' in unison on `Arafah is baseless and it is safer to abandon it

Q: What is the ruling on making Du`a' (supplication) in unison on the Day of `Arafah (9th of Dhul-Hijjah) whether this occurs at the mountain of `Arafah or at any other place. The way this happens is that one of the pilgrims starts to recite the Du`a' cited in some invocation books called "Du`a' on the Day of `Arafah" or others. The other pilgrims repeat after him, but without saying "Amen". Is making Du`a' this way an act of Bid`ah (innovation in religion) or not? Please clarify this with evidence.

A: The best thing for a pilgrim to do on this great day is to strive in making Du`a' and imploring Allah (Glorified and Exalted be He) while raising the hands; for that was the act of the Messenger (peace be upon him) on this day, until sunset after combining and shortening Zhuhr (Noon) and `Asr (Afternoon) Prayers in the valley of `Uranah. The Prophet (peace be upon him) then headed to the place of standing, halted there at the big rocks (at the bottom of Mount Al-Rahmah) and Mount of Du`a', which is called Mount Ilal, then faced the Qiblah (Ka`bah-direction faced for Prayer), raised his hands and strived in making Du`a' and Dhikr (remembrance of Allah) while riding on his she-camel.

Allah (Glorified be He) has prescribed for His Servants to invoke Him in secret with Khushu` (the heart being submissively attuned to the act of worship) and humility. Certainly, this place is one of the best places in which Du`a' is to be made. Allah (Exalted be He) says: ﴾Invoke your Lord with humility and in secret. He likes not the aggressors.﴿ He (Exalted be He) also says: ﴾And remember your Lord within yourself﴿

It is related in the Two Sahih (authentic) Books of Hadith (i.e., Al-Bukhari and Muslim) that Abu Musa Al-Ash`ary (may Allah be pleased with him) said that people raised their voices in making Du`a'. So the Messenger of Allah (peace be upon him) said: ﴾O People! Be easy on yourselves (i.e., lower down your voices)! You are not calling upon a deaf or an absent one. You are calling upon the All-Hearer, the All-Seer, and He is with you.﴿ Allah (Glorified and Exalted be He) has praised Zakariyyah (Zechariah, peace be upon him) for that in His Saying: ﴾(This is) a mention of the mercy of your Lord to His slave Zakariyyâ (Zachariah).﴿ ﴾When he called out his Lord (Allâh) a call in secret.﴿ He (Glorified and Exalted be He) also says:

﴾And your Lord said: "Invoke Me, [i.e. believe in My Oneness (Islâmic Monotheism) and ask Me for anything] I will respond to your (invocation).﴿ The Ayahs (Qur'anic verses) and Hadiths encouraging Dhikr and Du`a' are numerous. Furthermore, in this place particularly, it is prescribed to make much Dhikr and Du`a' with an attentive heart while showing sincerity, fear and hope. It is permissible to raise the voice in pronouncing Du`a' and Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) patterning after the Prophet (peace be upon him) and his Sahabah (Companions of the Prophet). It is reported that the Prophet (peace be upon him) said on that day: ﴾The best of Du`a' is the Du`a' on the Day of `Arafah and the best that which I and the prophets before me said is: La ilaha illa Allah wahdahu la sharika lah, lahul-mulk, wa lahul-hamd wa huwa `ala kully shay'in qadir (There is no god but Allah alone, with no partner or associate, His is the dominion and His is the praise, and He has power over all things)﴿

As for making Du`a' in unison, I do not know of any basis in Shari`ah (Islamic law) for this act, thus, it is safer to abandon it, for as far as I know, it has not been authentically reported from the Prophet (peace be upon him) or his Sahabah. However, if in a group, a person makes Du`a' while others answer "Amen" to it, this is acceptable as in Qunut (supplication recited while standing after bowing in the last unit of Prayer), Du`a' Khatm Al-Qur'an (supplication upon completing the reading of the entire Qur'an), Du`a'-ul-Istisqa' (supplication for rain) and so on.

As for gathering on the Day of `Arafah (9th of Dhul-Hijjah) at `Arafah or at any other place, it has no authentic basis transmitted from the Prophet (peace be upon him).

He (peace be upon him) said: ﴾Anyone who does any action that is not in accordance with this matter of ours (Islam) will have it rejected﴿ (Related by Muslim in his Sahih [Authentic Hadith Book]) Allah is the One Who grants success!

149- Start time for Du`a' while staying in `Arafah

Q: When should we start to make Du`a' (supplication) while staying in `Arafah?

A: In the afternoon, after offering Zhuhr (Noon) and `Asr (Afternoon) Prayers in shortened and combined form with one Adhan (call to Prayer) and two Iqamahs (calls to start the Prayer); the pilgrims can then proceed to their place at `Arafah. During their stay there, they should put forth their best efforts in making Du`a' and reciting Adhkar (invocations and Remembrances) and Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) until sunset. It is prescribed to start Du`a' with praising Allah and invoking peace and blessings upon the Prophet (peace be upon him) and to raise the hands while making Du`a'.

Chapter on Description of Hajj and `Umrah

(3) Spending the night in Muzdalifah

150- Staying overnight in Muzdalifah is an obligatory act and if a pilgrim abandons it, they should slaughter a sacrificial animal

Q: What is the ruling on staying in Muzdalifah and spending the night there? How long should this take and when should a pilgrim leave?

A: Spending the night in Muzdalifah is an obligatory act, according to the most correct scholarly opinion. Some scholars said that it is a Rukn (pillar) of Hajj, while others said it is Mustahab (desirable). But the more correct opinion of scholars is that it is obligatory and whoever leaves it must offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah). The Sunnah (action following the example of the Prophet) is to start leaving from Muzdalifah after Fajr (Dawn) Prayer, which is delayed until daylight shines. So, in early morning before sunrise, the pilgrim offers Fajr Prayer and then heads for Mina while repeating Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah). It is Sunnah to say Adhkar (invocations and Remembrances said at certain times on a regular basis) after Salah (Prayer) and supplicate to Allah and when morning spreads its light the pilgrims proceed to Mina while saying Talbiyah.

It is permissible only for weak women and men and old people to leave

from Muzdalifah in the last half of the night for the Prophet (peace be upon him) granted them Rukhsah (concession). As for strong people, the Sunnah is that they remain until they offer Fajr Prayer and make mention of Allah a lot after Salah through Adhkar (invocations and Remembrances) and then leave before sunrise. It is also an act of Sunnah to raise the hands while saying Du`a' (supplication) in Muzdalifah and to face the Qiblah (Ka`bah-direction faced for Prayer) as done while in `Arafah, for all of Muzdalifah is a place for standing.

Q: What is the ruling on staying at Muzdalifah before the middle of the night?

A: It is obligatory for a pilgrim to spend the night of the 10th of Dhul-Hijjah at Muzdalifah until dawn, unless they have an excuse, such as illness or the like. In this case, it is permissible for them and those they have under their care, to leave after the middle of the night and go to Mina. This is because the Prophet (peace be upon him) spent the night there until dawn when he performed Hajj, and he gave a Rukhsah (concession) to those who had excuses to leave Muzdalifah and go to Mina after the middle of the night.

151- Pilgrims who offer Maghrib and `Isha' Prayers at Muzdalifah and then depart have not fulfilled the obligation

Q: Massive crowds are seen nowadays when pilgrims are proceeding from `Arafah to Muzdalifah to the extent that some pilgrims who reach

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Muzdalifah can not spend the night there and find great difficulty in doing so. Is it permissible not to spend the night in Muzdalifah? Are the pilgrims required to make atonement if they do so? Do the Maghrib (Sunset) and `Isha' (Night) Prayers substitute for standing and spending the night in Muzdalifah, meaning that the pilgrim offers the Maghrib and `Isha' in Muzdalifah then heads immediately for Mina; is this permissible? Kindly point out this issue supporting your answer with evidence.

A: Spending the night in Muzdalifah is one of the obligations of Hajj, following the example of the Prophet (peace be upon him) who passed the night there and then offered Fajr (Dawn) Prayer in it and stayed until almost full light, before sunrise. He (peace be upon him) said: ﴾Learn your (Hajj) rituals from me.﴿ If a pilgrim offers Maghrib and `Isha' Prayers combined then leaves, they will not be carrying out the obligation, for the Prophet (peace be upon him) only gave Rukhsah (concession) for the weak people to leave at end of the night.

If the pilgrim does not spend the night in Muzdalifah, they should offer a sacrifice as an atonement for abandoning an obligation. The disagreement among the scholars whether spending the night in Muzdalifah is a Rukn (integral pillar), Wajib (obligatory) or Sunnah (supererogatory act of worship following the example of the Prophet) is famous and well-known; the most preponderant of these three opinions is that it is an obligation and whoever abandons it should offer a sacrifice, but their Hajj is valid. This is the majority opinion of scholars.

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The Rukhsah not to spend the second half of the night in Muzdahifah is given only to the weak. As for the strong who do not have weak people in their company, it is an act of Sunnah for them to stay in Muzdalifah until they offer Fajr Prayer, and to keep engaged in continuous Dhikr (Remembrance of Allah) and Du`a' (supplication) until daylight spreads then to leave before sunrise, following the example of the Prophet (peace be upon him). If any of the weak people reaches it in the last part of night, it is sufficient for them to stay for a while then leave, to avail themselves of the Rukhsah. May Allah grant us success!

152. Combining and shortening Salah during Hajj

Q: What is the ruling on a person who shortened and combined the Maghrib (Sunset) and the 'Isha' (Night) Prayers at the time of the later Salah (Prayer) before going to Muzdalifah, due to an emergency? His car broke down on the way to Muzdalifah and he was afraid that he might miss the Maghrib and 'Isha' Prayers, as it was so late. So he performed them on the outskirts of Muzdalifah, or just shortly before Muzdalifah. He slept while his car was being repaired and then also performed the Fajr (Dawn) Prayer, after its time had started, on the outskirts of Muzdalifah, because he could not enter Muzdalifah until the morning when the sun was already shining. Were his Maghrib, 'Isha',

and Fajr Prayers offered on the outskirts of Muzdalifah valid? We hope that Your Eminence will clarify this, mentioning the evidence.

A: Salah is valid anywhere, except in places that have been excluded by the Law-Giver (Allah), as the Prophet (peace be upon him) said, ("The whole earth has been made for me a Masjid (place of worship) and a Tahur (purifier).") However, it is prescribed for a pilgrim to combine the Maghrib and 'Isha' Prayers in Muzdalifah, anywhere possible, before the middle of the night. If it is not possible, due to the crowds or any other reason, they may offer these Salahs anywhere, but it is not permissible to delay them until after the middle of the night, because Allah (Exalted be He) says: (Verily, As-Salât (the prayer) is enjoined on the believers at fixed hours.) This means that it is obligatory to perform them in their prescribed times. The Prophet (peace be upon him) also said, ("The time of the 'Isha' (Prayer) is until the middle of the night.") (Related by Muslim on the authority of 'Abdullah ibn 'Amr ibn Al-'As [may Allah be pleased with him]) And Allah knows best!

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153-It is an act of Sunnah to observe Witr whether residing, traveling or spending the night at Muzdalifah

Q: Are Witr (Prayer with an odd number of units) and the two supererogatory Rak`ahs (units of Prayer) offered before Fajr (Dawn) Prayer waived for pilgrims staying at Muzdalifah?

A: It is Sunnah (action following the example of the Prophet) for the pilgrim to offer two Rak`ahs before Fajr Prayer, because the Prophet (peace be upon him) performed them in Muzdalifah and did the same in all his travels. As for the supererogatory Rak`ahs of Zhuhr (Noon), `Asr (Afternoon), Maghrib (Sunset) and `Isha' (Night) Prayers, it is Sunnah to leave performing them during the days which pilgrims spend in Mina, `Arafah, Muzdalifah and during traveling in general. The Prophet (peace be upon him) did not perform them and instructed saying: ﴾Learn your (Hajj) rituals from me.﴿ Allah (Glorified and Exalted be He) says:﴾ Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow﴿ As for Witr, it is Sunnah to keep performing it whether the Muslim is residing, traveling or spending the night at Muzdalifah, because the Prophet (peace be upon him) used to offer Witr while traveling or residing. Concerning the report on the authority of Jabir that the Prophet (peace be upon him) lay down after `Isha' Prayer, it does not explicitly state that

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the Prophet (peace be upon him) did not perform Witr, as he might have left it out of tiredness or sleep bearing in mind that Witr is a Nafilah (supererogatory act of worship) and there is nothing wrong if one does not offer it due to tiredness, sleep or other impediments. In this case, it is recommended to make up for it in the daytime as Shaf` (two units of Prayer), because `Aishah (may Allah be pleased with her) said: ﴾Whenever sleep or pain overpowered the Prophet (peace be upon him) and made it impossible (for him) to observe Qiyam-ul-Layl (standing for optional Prayer at night), he used to offer twelve Rak`ahs during the daytime.﴿ (Agreed upon its authenticity by Imams Al-Bukhari and Muslim) The Prophet (peace be upon him) used to perform eleven Rak`ahs in the night as Witr, ending each two of them with Taslim (salutation of peace ending the Prayer) and if something such as sleep or illness, prevented him from performing them, he would make up for them even-numbered (i.e. twelve Rak`ahs) and conclude them with Taslim. Allah is the One Who grants success!

154 - It is permissible to leave Muzdalifah in the last half of the night

Q: At what time should a pilgrim leave Muzdalifah to go to Mina? Is it permissible to throw the pebbles on behalf of women despite their capability of throwing for fear of crowdedness?

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A: It is permissible for a pilgrim to leave Muzdalifah in the last half of the night, because the Prophet (peace be upon him) gave Rukhsah (concession) to women, the weak and those accompanying them to leave. As for powerful men who do not have their families with them, it is better for them not to hasten to leave Muzdalifah; rather, they should offer Fajr (Dawn) Prayer in Muzdalifah, stay there until daylight, and mention and supplicate Allah a lot because the Prophet (peace be upon him) did so and said: ﴾Learn your (Hajj) rituals from me.﴿ Accordingly, those who hasten to leave Muzdalifah can throw the pebbles at the Jamarat (stone pillars marking the pebble-throwing areas) before Fajr; as Um Salamah (may Allah be pleased with her) threw the pebbles before Fajr then she went to Mina and it was not reported that the Prophet (peace be upon him) reproved her for that. This indicates the permissibility of the action and that there is nothing wrong in doing so as long as it facilitates performing rituals, especially for the weak pilgrims.

Q: If we have many families, can we leave Muzdalifah before dawn?

A: The Prophet (peace be upon him) gave permission and Rukhsah (concession) to pilgrims who have families to leave Muzdalifah at the end of the night, during the last half of it, before Fajr (Dawn)

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to Mina, in order to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) before crowdedness, then whoever wants to stay in Mina, may do so. It is also permissible to go to Makkah to perform Tawaf (circumambulation around the Ka`bah), as stated in the answer to the previous question.

Respected Shaykh, `Abdul-`Aziz ibn `Abdullah ibn Baz. May Allah protect you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

Q: By the Will of Allah (Exalted be He) I intend to perform Hajj this year and I would like to ask about a few issues which I do not know. I hope Your Eminence would give me some information about them. May Allah reward you! These matters are as follows:

I have a large family; some of them are old, is it permissible for us to leave Muzdalifah and head to Mina at two after midnight, and stone Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) then go to Makkah? Is it permissible for us to reach the Haram (the Sacred Mosque in Makkah) before Fajr (Dawn) Prayer there?

A: Wa `alaykum as-salam warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you too!):

If the reality is as you have mentioned in the first question, there is no objection to your hastening to Mina in the second portion of the night of Nahr (Sacrifice). There is also no objection to your stoning Jamrat-ul-`Aqabah then heading to Makkah.

155- Ruling on spending the night outside Muzdalifah

Q: Some pilgrims spend the night outside Muzdalifah, because they are banned from parking their cars there which causes them to spend the night in Mina. Are they liable to Hady (sacrificial animal offered by pilgrims)?

A: If they find no place in Muzdalifah or are banned by policemen from stopping there, they will be liable to nothing. In this regard, Allah (Exalted be He) says: (So keep your duty to Allâh and fear Him as much as you can) Nevertheless, if they do so out of negligence, they will be liable to Hady and will have to repent.

156- It is Sunnah that pilgrims remain in Muzdalifah until early morning

Q: Is it Sunnah (action following the example of the Prophet) that a pilgrim remains until they offer Salat-ul-Duha (supererogatory Prayer before noon)? Or, should they immediately after Fajr (Dawn) Prayer leave Muzdalifah?

A: It is Sunnah to remain in Muzdalifah until early morning, i.e. the time of visible daylight before the sun fully rises. This is the best practice. After offering Fajr Prayer, Pilgrims should remain in their praying place facing the Qiblah (Ka`bah-direction faced for Prayer), supplicating to Allah, saying Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah) and glorifying Allah until it becomes daylight. This was the practice of the Prophet (peace be upon him).

As for weak people, they may leave after midnight. However, it is better to remain in Muzdlaifah to offer Fajr and sit until early morning, before sunrise, while facing the Qiblah, supplicating to Allah and saying Talbiyah with the hands raised. Doing so is better in order to follow the example of the Prophet (peace be upon him) who remained in Muzdalifah until daylight shone. So, when it became light, he (peace be upon him) left to Mina before sunrise, acting differently from Mushriks (those who associate others with Allah in His Divinity or worship) who used to leave Muzdalifah only after sunrise. Therefore, the Messenger (peace be upon him) did the opposite of what they used to do and left Muzdalifah before sunrise once daylight shone. Undoubtedly, doing so is recommended in order to follow the example of the Prophet (peace be upon him).

157- A boy who does not

spend the night in Muzdalifah is liable to Hady

Q: If a boy does not spend the night in Muzdalifah, is he liable to Hady (sacrificial animal offered by pilgrims)?

A: Yes, if a boy does not spend the night in Muzdalifah or Mina, his Waliy (guardian) is liable to Hady. Actually, all Hajj rulings are applicable to him because of his assuming Ihram (ritual state for Hajj or `Umrah), in the case of a distinguishing boy, or his Waliy assuming Ihram on his behalf, in the case of a non-distinguishing boy. Moreover, he is treated like a Mukallaf (person meeting the conditions to be held legally accountable for their actions) performing supererogatory Hajj or `Umrah, who is subject to all rulings of Hajj and `Umrah.

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Allah (may He be Praised) says: ﴿And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴾ The Ayah (Qur'anic verse) includes both obligatory and supererogatory Hajj and `Umrah.

158. How to stand at Al-Mash'ar-ul-Haram

Q: At Al-Mash'ar-ul-Haram (Sacred Monument), does a pilgrim have to stand with their hands raised?

A: It is prescribed at Al-Mash'ar-ul-Haram, and also at Safa and Marwah to raise the hands while supplicating to Allah, whether standing or sitting. There is flexibility in this matter - all praise be to Allah. The same applies at 'Arafat; it is prescribed to raise the hands while supplicating there.

159- Passing by Muzalifah without spending the night is not sufficient

Q: Is it sufficient to just pass by Muzdalifah without staying there until midnight?

A: Spending the night in Muzdalifah is one of the obligations of Hajj.

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If a pilgrim does not spend the night there, they must offer a Fidyah (ransom) - that is, slaughter a sacrifice to be distributed among the poor of the Sacred House - which should meet the same conditions for Ud-hiyah (sacrificial animal offered by non-pilgrims). But if a pilgrim passes by Muzdalifah without spending the night there, then they return to it again before dawn and stay there even for a short while, there is no Fidyah due on them.

Chapter on the prescribed manner of Hajj and 'Umrah

4. Throwing the Jamrat

160. Jamrat-ul-'Aqabah is the one thrown at with seven pebbles on the Day of 'Eid

Q: Which one of the Jamrat (stone pillars at which pebbles are thrown during Hajj) should be thrown at it with seven pebbles on the first Day of 'Eid (the Festival of the Sacrifice)?

A: The Jamrah (pl. Jamrat) that is next to Makkah, which is called Jamrat-ul-'Aqabah (the closest stone pillar to Makkah). It is the last Jamrah, to the direction of Makkah. Seven pebbles are thrown at it on the Day of 'Eid. On the 11th, 12th and 13th of Dhul-Hijjah, anyone who had not hastened to throw their pebbles, they can throw them at the three Jamrat after noon, starting with the one near Masjid Al-Khif, i.e. the closest to the direction of Masjid Al-Khif. Then they can throw at the middle one, and then at the final one, which is thrown at on the Day of 'Eid; Jamrat-ul-'Aqabah.

161 - Beginning and end time of throwing pebbles at Jamrat and related issues

Q: When should a pilgrim begin throwing the pebbles at the Jamrat (stone pillars at which pebbles are thrown during Hajj)? And how should the pebbles be thrown ?

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What is the number of pebbles? With which Jamrah (stone pillar) should they begin and which should be the last?

A: The first of Jamrat should be stoned on the first Day of `Eid, which is the closest to Makkah and is called "Jamrat-ul-`Aqabah." It should be thrown at on the Day of `Eid. If a pilgrim stones it in the last half of the night of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals), this will count as sufficient, but the best is to stone it after sunrise until sunset. In case a pilgrim misses the time of throwing the pebbles, they should throw them at night after the setting of the sun of the Day of `Eid; throwing one pebble at a time; pronouncing Takbir (saying: "Allahu Akbar [Allah is the Greatest]") with each pebble. As for the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), they should stone the Jamrat after midday. They should stone the first Jamrah which lies near Masjid (mosque) Al-Khif with seven pebbles; pronouncing Takbir with each pebble. Then they should stone Jamrat-ul-Wusta (middle stone pillar), then the last Jamrah with seven pebbles on the 11th and 12th days; likewise on the 13th for those who do not hasten to leave Mina on the 12th of Dhul-Hijjah. The Sunnah (action following the example of the Prophet) is to stand after stoning the first and the second Jamrat. After they stone the first, they stand facing the Qiblah (Ka`bah-direction faced for Prayer); making it on their left side and to supplicate to their Lord for long. After the second, they should stand facing the Qiblah making it on their right side and to supplicate their Lord for a long time on the 11th, 12th and 13th of Dhul-Hijjah for those who do not hasten to depart. As for the last Jamrah which is near Makkah, they should stone it without stopping at it, because when the Messenger (peace be upon him) stoned it, he did not stop at it.

Q: From where should one collect the pebbles for stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj, Jamrat-ul-`Aqabah being the closest to Makkah)? What is the description of the pebbles? Moreover, what is the ruling on washing them?

A: The pebbles are to be taken from Mina and if a pilgrim takes them on the Day of `Eid-ul-Adha (the Festival of the Sacrifice) from Muzdalifah there is nothing wrong with this. They are seven pebbles to be thrown on the Day of `Eid at Jamrat-ul-`Aqabah (the closest stone pillar to Makkah). It is not allowable to wash them for what is prescribed here is to take them from Mina, Muzdalifah, or any part of the sanctuary and throw them; any of this will serve as sufficient and is permissible. During the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), the pebbles should be taken from Mina; twenty-one pebbles for each day. If a pilgrim hastens to depart on the 12th of Dhul-Hijjah, they should take forty-two for the eleventh and twelfth days (the throwing on the 13th day is waived in their case) and if not in haste to leave, they should take sixty-three. The pebbles should be small, in the size of sheep's dung, bigger than chick-pea and smaller than hazelnuts as stated by scholars.

162. Ruling on throwing at Jamrat-ul-'Aqabah after midnight on the Eve of 'Eid

Q: We are a group of pilgrims, some of whom are accompanied by female relatives and others alone. Is it permissible for those who are on their own to throw at Jamrat-ul-'Aqabah (the closest stone pillar to Makkah)

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with their group after the middle of the night? We ask because you know the hardships of Hajj.

A: There is nothing wrong in throwing at the Jamrah (stone pillar at which pebbles are thrown during Hajj. pl. Jamrat) on the Eve of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) after midnight, due to the hardship you mentioned. That is why the Prophet (peace be upon him) gave a Rukhsah (concession) for those who were weak to leave Muzdalifah before dawn and to throw at the Jamrat before dawn. As for those who are strong, it is better for them to throw at the Jamrat after sunrise, because the Prophet (peace be upon him) threw at Jamrat-ul-'Aqabah at forenoon on the Day of Nahr (10th of Dhul-Hijjah). It was also narrated from the Prophet (peace be upon him) that he said, ("Do not throw at the Jamrah until the sun rises.") However, there is Da'f (weakness) in the Sanad (chain of narrators) of this Hadith. The correct opinion is that throwing at the Jamrah after midnight on the Eve of Nahr suffices the purpose for all, due to the great hardship it brings to everyone. However, it is better and safer for those who are strong to delay it until after sunrise, to reconcile the evidence. Anyone who is accompanied by women or weak people comes under the same ruling as them.

Q: All praise be to Allah, I was able to perform the obligatory Hajj last year. However, after having spent half of the night in Muzdalifah, I went with a group of people and we threw at the first Jamrah (stone pillar at which pebbles are thrown during Hajj) during the night, before the morning, due to fear of the crowd. What is the ruling on this?

Do I have to do anything for this? I hope that you will advise me.

A: There is nothing wrong in throwing at Jamrat-ul-'Aqabah (the closest stone pillar to Makkah) after midnight on the Eve of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals), if you are weak or accompanied by weak people, such as women, children, or people who are old or ill. But if you are strong and you are not accompanied by weak people, it is better to offer the Fajr (Dawn) Prayer in Muzdalifah, and stay there engaged in reciting Dhikr (Remembrance of Allah) and Du'a' (supplication) until the crack of dawn, and then go to Mina before sunrise to throw at the Jamrah after the sun has risen, following the example of the Prophet (peace be upon him), as Allah (Exalted be He) says: ﴿Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow﴾ The Prophet (peace be upon him) also said, ﴾"Take (learn) your (Hajj) rituals from me."﴿ (Related by Muslim in his "Sahih [Book of Authentic Hadith]") May Allah guide you, us, and all the Muslims to beneficial knowledge and enable us to act upon it!

Q: Is it permissible for a pilgrim who proceeds with a company of women and weak people on the night of Nahr (Sacrifice) after midnight from Muzdalifah to stone Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) ?

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A: Anyone who escorts weak people and women comes under the same ruling as them. Others who enjoy strength but still accompany them for being their Mahrams (spouses or unmarriageable relatives), drivers or the like will also come under the same ruling, and it suffices for them to throw the pebbles with the women at the end of the night.

163. Ruling on throwing at Jamrat-ul-'Aqabah and performing Tawaf before midnight on the Eve of 'Eid

Q: While I was performing Hajj, I threw at the largest Jamarah (Jamrat-ul-'Aqabah: the closest stone pillar to Makkah) before midnight, and then I went immediately to the Haram (the Sacred Mosque in Makkah) to perform Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka'bah in Hajj). During the Tawaf, I broke my Wudu' (ablution), but I continued Tawaf. Due to the crowd around Maqam Ibrahim (the Station of Ibrahim), I could not perform the two Rak'ahs (units of Prayer) of Tawaf, so I left the boundaries of the Haram and Mina, and I only returned after the Maghrib (Sunset) Prayer. Did I violate any of the Hajj rituals? I was performing Ifrad Hajj (performing Hajj only).

A: First: throwing at the Jamrah (stone pillar at which pebbles are thrown during Hajj) before midnight is not permitted, because, as most of the scholars agree, the first time to throw at the Jamrah is after midnight on the Eve of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals). So it is not permissible to throw at it before this.

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Second: If Tawaf was performed before midnight, it was not valid. If it was performed after midnight, it is also not valid, because you performed it when you were not in a state of Taharah (ritual purity), as your Wudu' was invalidated during the Tawaf. Either way, you did not perform Tawaf correctly, so you have to repeat the throwing at the Jamrat and the Tawaf, with the intention of performing Tawaf-ul-Ifadah and throwing at the Jamrat for the Day of the 'Eid (the Festival of the Sacrifice). The Tawaf during which you broke your Wudu' does not suffice. If you did not remember or realize this until the time of throwing the Jamrat has ended, you have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah), because actually you have not thrown the Jamrat. The Dam should be slaughtered in Makkah and the meat distributed among the poor of the Haram, with the intention of expiating for not throwing the Jamrat. You can perform the Tawaf at anytime, even at the end of Dhul-Hijjah or in Muharram, whenever you remember, for you to complete your Hajj. You also have to offer another Dam for not staying at Muzdalifah until after midnight. With Allah is the success!

164- Ruling on validity of stoning Jamrat if the throwing basin is full

Q: What is the ruling on stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) if the basin where the pilgrims throw the pebbles is full, so that when a pilgrim throw the pebbles they fall into the basin, but after that they bounce out of it?

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A: What is most important is that the pebbles fall into the basin. If the pebbles land in the basin, then the duty has been discharged, all praise be to Allah; and if they roll out of it after that, there is no harm.

165- Ruling on throwing the pebbles at the pillar

without making sure that they have fallen into the basin

Q: I am a resident of Makkah. Seven years ago I performed Hajj, and at that time, I used to shorten Salah (Prayer) with the Imam (the one who leads a congregational prayer) then repeat it completely in private. I also used to throw pebbles starting from the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) at the pillar in the middle of the throwing basin, thinking it was the place I should throw at, not knowing whether they fall into the basin or not. What is the ruling on this?

A: If the case is as you have mentioned, you have to offer a Fidyah (ransom) which meets the conditions for Ud-hiyah (sacrificial animal offered by non-pilgrims), but if you cannot, you must fast ten days for falling under the ruling of a pilgrim who did not throw.

As for repeating the Salah completely after offering it with the Imam, this should not take place; rather, it is necessary to suffice with the Salah behind the Imam; for the Prophet (peace be upon him)

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shortened the Salah when he led people at `Arafah, Muzdalifah and Mina. He (peace be upon him) did not order the people of Makkah to repeat it in complete either, and Allah (Glorified be He) says: ﴾Indeed in the Messenger of Allâh (Muhammad صلى الله عليه وسلم) you have a good example to follow﴿ The Prophet (peace be upon him) also said in Farewell Hajj: ﴾Learn your (Hajj) rituals from me.﴿

166 - Ruling on throwing the pebbles in the afternoon

Q: My daughters will perform Hajj this year; is it permissible for them to stone Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) in the afternoon for fear of crowdedness?

A: There is nothing wrong if they throw the pebbles on the Day of `Eid in the afternoon, because on the Day of `Eid it is permissible to throw at any time throughout the day. It is also permissible to throw at night after sunset starting the 11th day for those who could not throw Jamrat-ul-`Aqabah during daytime on the Day of `Eid, according to the sounder of the two scholarly opinions. Likewise, it is permissible to throw on the 11th and 12th days at night for those who could not throw in the daytime after Zawal (midday).

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As for the 13th day, the time of throwing ends with sunset. It is not permissible to throw the pebbles before Zawal on the 11th, 12th and 13th days, according to the majority of scholars. This is the truth beyond doubt, because the Prophet (peace be upon him) threw after Zawal during the three mentioned days as well as his Sahabah (Companions of the Prophet, may Allah be pleased with them). The Prophet (peace be upon him) said: ﴾Learn your (Hajj) rituals from me.﴿

It is obligatory on Muslims to follow the way of the Prophet (peace be upon him) in this regard and in all that Allah has ordained and to abandon all that Allah and His Messenger (peace be upon him) have forbidden, because Allah (Glorified and Exalted be He) says: ﴾And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it).﴿ Allah (Glorified and Exalted be He) also says: ﴾Certainly, there has been in them an excellent example for you to follow﴿ Ayahs carrying this meaning are numerous. May Allah grant us success!

Q: Is it permissible for a woman to deputize somebody to throw the pebbles (at the stone pillars during Hajj) on her behalf while offering the obligatory Hajj?

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A: If the woman is sick, or weak due to old age, infirmity, pregnancy or has children and there is nobody to take care of them, in this case she is allowed to choose a trusted deputy to throw on her behalf. But, if she is able to throw and has nothing that may prevent her from that, she should do it herself. A woman is required to choose the suitable times, such as at night, and avoid times of crowdedness, following the example of the wives of the Prophet (peace be upon him) and the wives of the Sahabah (Companions of the Prophet) for they are the good example to be followed.

Q: What is the ruling on deputizing someone to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) on behalf of an ill person, a woman, or a boy?

A: It is permissible to deputize someone to throw the pebbles on behalf of a sick person or a woman who is unable to stone the Jamrat due to being pregnant, overweight or weak. However, strong and active women must throw the pebbles themselves. On the other hand, whoever is unable to throw in the daytime after midday, has to do so at night. Whoever is unable to throw on the Day of `Eid-ul-Adha (the Festival of the Sacrifice), has to do so during the night preceding the eleventh day of Dhul-Hijjah. Whoever is unable to throw on the eleventh day of Dhul-Hijjah, has to do so during the night preceding the twelfth of Dhul-Hijjah. Whoever is unable to throw on the twelfth of Dhul-Hijjah or misses throwing after midday, has to throw on the night preceding the thirteenth of Dhul-Hijjah, in compensation for the twelfth day. The time limit for throwing ends with the break of dawn.

It must be noted that a pilgrim may not throw in the daytime except after midday during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah).

Q: Can a father throw the pebbles (at the stone pillars during Hajj) on behalf of his daughter who suffers from difficulty in breathing? Provide us with your beneficial answer, please. May Allah reward you with the best!

A: To avoid any possible danger, it is permissible for such a daughter to deputize a trustworthy person to throw the pebbles on her behalf. Proof for this is the Saying of Allah: (So keep your duty to Allâh and fear Him as much as you can)

Moreover, the Prophet (peace be upon him) said: (Ease (religious) matters and do not make them difficult.)

From `Abdul `Aziz bin `Abdullah ibn Baz to the honorable brother M. H. M. A., may Allah guide you to all that pleases Him and increase you in knowledge and faith, Amen!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I received your honorable letter which contained three questions.

Q: What is the ruling on deputizing your son to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) due to your inability to do so?

A: This is permissible as long as it is difficult for you to stone the Jamrat due to your old age. Proof for this is the Saying of Allah (Exalted be He): (So keep your duty to Allâh and fear Him as much as you can) May Allah grant me, you, and all Muslims sound understanding of religion and keep us firm on acting upon it. Verily, Allah is the All-Hearer, the Ever Near. As-salamu `alaykum warahmatullah wabarakatuh!

Q: A woman performed Hajj with all its rituals, except stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj), for which she appointed a proxy to throw on behalf of her for she had a little child,

taking into consideration that it was the obligatory Hajj; what is the ruling on that?

A: There is no blame on her and the act performed by the deputized person is no longer asked of her and discharges the obligation on her part, owing to the great danger on women in the time of stoning the Jamrat, especially women who have children.

Q: At the time of throwing the pebbles I could not throw them because I was pregnant, and my son, who was with me, threw them on my behalf. Am I obligated to offer any expiation for doing that?

A: Throwing the pebbles is like any other ritual of Hajj which is incumbent upon whoever is able to do it. Allah (Exalted be He) says: ﴿And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴾ Therefore, it is not allowed for a pilgrim to be negligent with regard to the rituals of Hajj as some do by authorizing others to throw the pebbles on their behalf, not due to their inability to throw them but in order to avoid crowdedness. This is a grievous mistake. However, if someone is unable to throw the pebbles because of sickness or being pregnant or other lawful excuses, then there is no blame on them to authorize someone else to throw on their behalf. Similarly there is no blame on this woman In sha'a-Allah (if Allah wills).

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Able pilgrims are not allowed to deputize another to stone the Jamrat on their behalf

Q: Is it permissible for a person to delegate another to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) on their behalf while they are in fact able to do it themselves?

A: Able pilgrims are not allowed to delegate another to stone the Jamrat on their behalf. Everyone must perform the act themselves except for a child, a sick person, a pregnant woman, or a mother who cannot find anyone to look after her children. These individuals are permitted to delegate someone to stone on their behalf.

168- Delegation in stoning the Jamrat

is not permissible except with a legitimate excuse

Q: What is the ruling on a pilgrim who deputizes another to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) on their behalf, although able to do it, and travels after `Eid day and does not stay in Mina for two days?

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A: Delegation is not permitted except with an Islamically legal excuse such as old age, illness, an unstable pregnancy, etc., but to delegate a person in this regard without a legal excuse is not permissible. Stoning the Jamrat remains a required obligation even when performing Nafilah (supererogatory) Hajj, according to the most correct opinion of scholars. This is because Hajj and `Umrah (lesser pilgrimage), once started, must be completed even if they are Nafilah. Allah (may He be Exalted and Glorified) says: ﴾And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴿ This Ayah (Qur'anic verse) includes the Nafilah (supererogatory) and the Fard (obligatory) Hajj and the same applies to `Umrah. But there is nothing wrong with stoning by proxy, if there is a legitimate excuse such as illness or old age. In this case, the authorized may stone all the Jamrat for himself and on behalf of the authorizer on the same occasion, according to the correct opinion.

Another wrong and impermissible act is committed by leaving before performing Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) which must be done after stoning the Jamrat oneself or by proxy, in case of inability. Furthermore, traveling before performing Tawaf-ul-Wada` and before spending the days of Mina is a kind of playing with rulings which is not permissible. Therefore, an atonement of two sacrificial animals must be offered: one for abandoning the obligation of stoning the Jamrat, which must be slaughtered in Makkah and another for leaving Tawaf-ul-Wada` also in Makkah. Offering Tawaf-ul-Wada` on `Eid Day does not suffice and is not considered Tawaf-ul-Wada`, because the time to do so is after stoning the Jamrat. Therefore, Tawaf-ul-Wada` must not be performed before the Jamrat.

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The Prophet (peace be upon him) said: ﴾None of you should leave (Makkah) until the last thing he does is circumambulating the House (Ka`bah).﴿ It is authentically reported that Ibn `Abbas (may Allah be pleased with them both) said: ﴾The people were commanded that the last thing they do should be to circumambulate the House, but an exception was made for menstruating women.﴿ (Agreed upon its authenticity) Also, the person in question is required to offer a third sacrificial animal for not spending the eleventh and twelfth nights at Mina along with repenting to Allah for neglecting these obligations.

Q: Is it permissible to delegate someone to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) on my behalf on the second of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), because of family problems that obliged me to return to Riyadh on that day? Or, must I offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and `Umrah) for doing so?

A: It is not permissible for any pilgrim to delegate someone to stone on their behalf and travel back before completing this ritual. They must wait till after stoning is completed. Therefore, if able to stone the Jamrat oneself, it is obligatory.

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The pilgrim, if physically unable, must wait and delegate another to stone on their behalf. They must not travel back unless the delegate completes the stoning and departs for home. After that, they may travel.

The physically able pilgrim may not delegate another and must personally stone the Jamrat. This is because once Ihram (ritual state for Hajj or `Umrah) for Hajj is entered, it must be completed, even if it is a supererogatory Hajj. Once a pilgrim begins Hajj it is obligatory to complete it. Allah (Exalted be He) says: ﴿And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴾ The same applies to `Umrah (lesser pilgrimage) as stated in the Ayah (Qur'anic verse); once begun, must be completed. A pilgrim is not permitted to delegate another to fulfill a certain ritual of Hajj on their behalf, so long as they are able to perform it, according to the correct scholarly opinion. If a pilgrim travels before stoning, they must atone by offering a sacrificial animal to be distributed to the poor in Makkah.

169- A proxy delegated to stone on someone else's behalf must first throw their own pebbles

if performing their obligatory Hajj

Q: If one is delegated to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) on behalf of their parents in addition to stoning for their own Hajj, is it a must to stone in a particular order? Or, is one free to give priority to whomever one wishes?

A: If someone is delegated to stone on behalf of their parents who are disabled or ill, they should stone first for themselves and then stone on behalf of their parents, more preferably beginning with the mother as she has the greater right. However, if they begin with the father, there is no harm. Thus, one must stone on their own behalf first, if it is the obligatory Hajj.

In the case of supererogatory Hajj, it makes no difference whether one begins with stoning on one's own behalf or otherwise. However, it is preferable to begin with oneself, then stone for one's mother, and then the father on one occasion on the day of `Eid-ul-Adha (the Festival of the Sacrifice). When stoning on any other day, which is done in the afternoon, one is to throw twenty-one pebbles per day for each person; regardless of whether one throws on behalf of the father first before the mother, or both parents before oneself. But, if it is the obligatory Hajj, one must begin by stoning for oneself and then throw on behalf of one's parents.

170- Ruling on doubting whether

the pebbles have landed in the throwing basin

Q: What is the ruling on doubting that some pebbles have not

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fallen inside the throwing basin?

A: Any pilgrim who is in doubt about this must compete the required number, by picking up some of the pebbles on the ground at Mina and complete throwing the number of pebbles one is in doubt about.

171- Ruling on throwing pebbles

taken from around the Jamrat

Q: Is it permissible for a pilgrim to throw pebbles taken from around the Jamrat (stone pillars at which pebbles are thrown during Hajj)?

A: It is permissible based on the principle that these pebbles have not been used for stoning before. As for pebbles inside the throwing basin, they are not to be used.

172- Lessons learned from stoning the Jamrat

Q: What lessons are to be learned from stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj, Jamrat-ul-`Aqabah being the closest to Makkah) ?

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A: Stoning Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) on the Day of `Eid (Festival) and the three Jamrat on the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) in Mina at the times specified by the Messenger of Allah (peace be upon him) teaches the Muslim a number of lessons:

First, it follows the example of our father Ibrahim (Abraham, peace be upon him) when Satan attempted to dissuade him from performing his duty, and that of our Prophet Muhammad (peace be upon him) when he legislated this for his Ummah (nation based on one creed) at the Farewell Hajj.

Second, it establishes Dhikr (Remembrance of Allah) as the Prophet (peace be upon him) stated: (Verily, Tawaf (circumambulation) around the Ka`bah, Sa`y (going) between Safa and Marwah, and stoning the Jamrat are all ordained to establish the Remembrance of Allah.)

Third, restriction to number seven has a great wisdom behind it, for it reminds of what Allah has prescribed to be done this number of times; we stone with seven pebbles, and perform Tawaf and Sa`y seven times. The Prophet (peace be upon him) stated: (Observe Witr (Prayer with an odd number of units) for Allah is Witr (He is One, and it is an odd number) and loves what is Witr.) There is great wisdom in whatever Allah (Glorified and Exalted be He)

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legislates for His Servants which they may or may not come to know. However, they are quite certain that Allah (Glorified be He) is All-Wise, All-Knowing, and never does or legislates anything in vain.

Fourth, Islam is submission to and compliance with the Commands of Allah. Muslims are ordered to carry out acts of `Ibadah (worship) according to the Nas (Islamic texts from the Qur'an or the Sunnah), even if they do not fully comprehend their profound meanings, for Allah is All-Knowing, All-Wise. Human knowledge is deficient and insignificant compared to the Knowledge of Allah (Glorified and Exalted be He). Muslims must submit to the Law of Allah and obey His Command, even without knowing the underlying wisdom.

Fifth, stoning the Jamrat engenders humility and submission while performing the act in compliance with the Command of Allah; it disciplines and accustoms the Muslim to abide by specifics and order like going to stone the three Jamrat, the third being Jamrat-ul-`Aqabah, then limiting oneself to seven pebbles, along with maintaining silence and avoiding harming others with words or deeds. All this makes the Muslim accustomed to put affairs in order and carry them out at their due times.

Sixth, safeguarding the pebbles and not misplacing them because of valuing

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the importance of what Allah has legislated without exceeding the limits or being negligent.

173- Shaving is better than shortening the hair

Q: Which is better: shaving the head or cutting the hair short after performing the rites of Hajj or `Umrah (lesser pilgrimage)? Does it suffice to cut some of the hair of the head?

A: It is better to shave the head in both `Umrah and Hajj, because the Messenger (peace be upon him) asked forgiveness and mercy for those who shave their heads thrice, and once for those who shorten their hair. Therefore, shaving the head is best. However, if the `Umrah is close to Hajj, it is better to shorten the hair for the `Umrah, so that there will be hair to shave for Hajj. This is because Hajj is more perfect than `Umrah, thus the more perfect action, which is shaving, should be reserved to the more perfect ceremony (Hajj). However, if the `Umrah is far from Hajj; for example during Shawwal, and the hair of the head will grow back (before Hajj), then one should shave the head in order to earn the merit of shaving. Cutting the hair from part of the head is not sufficient, nor is shaving part of the head, according to the more correct of the two opinions maintained by scholars. Rather, it is obligatory to shave all of the head or shorten all the hair (evenly). Also, it is better to begin from the right side when shaving or cutting the hair short.

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It is more perfect to evenly cut short all the head hair

Q: I performed Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between) last year and after finishing `Umrah (lesser pilgrimage) I cut my hair short with the scissors, by shortening some hair from most parts, so that I would have hair to shave after completing the Hajj. Is there any wrong in what I did? Give me your Fatwa (legal opinion issued by a qualified Muslim scholar), may Allah reward you well!

A: The cutting you did with the scissors is sufficient and there is nothing wrong with it. But it is better to keep on the safe side and cut short all the hair on the head evenly. Shaving is better than shortening, because the Prophet (peace be upon him) asked forgiveness and mercy three times for those who shave their heads, and once for those who shorten their hair. However, if it is close to Hajj, it is better to cut the hair short after Tahalul (removal of the ritual state for Hajj and `Umrah) following `Umrah, so that there will be hair to shave for Hajj. The Messenger of Allah (peace be upon him) ordered those who came with him in the Farewell Hajj and did not have Hady (sacrificial animal offered by pilgrims) to cut short their hair and did not order them to shave it.

The wisdom behind this - Allah knows best - is to delay shaving the hair until Tahalul following Hajj. May Allah grant us success!

175- Place of shaving or shortening the hair

Q: When we stone Jamrat-ul-`Aqabah (the closest stone pillar to Makkah), should we shave our heads in Mina or after coming to Makkah, taking into account that we may not find facilities for shaving in Mina? Kindly explain. Are we still considered Muhrims (pilgrims in the ritual state for Hajj and `Umrah) or not?

A: It is permissible to shave or cut short the hair in Mina, Makkah, or elsewhere.

176- Ruling on Tahalul after stoning Jamrat-ul-`Aqabah

Q: A woman who is ignorant of the rulings stoned Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) and then performed Tahalul (removal of the ritual state for Hajj or `Umrah) and wore Burqu` (face veil), but she neither shortened her hair nor performed

Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj); what should she do?

A: Nothing is required of her, because the first Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving or shortening the hair and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah) takes place by stoning Jamrat-ul-`Aqabah, according to a group of scholars. This is a strong opinion; however, to be on the safe side it is better to postpone the first Tahalul until the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) shaves or shortens the head hair, or performs Tawaf-ul-Ifadah and Sa`y (going between Safa and Marwah during Hajj and `Umrah) if they have to perform Sa`y after stoning Jamrat-ul-`Aqabah. Once these three acts are completed, major Tahalul (final removal of the ritual state for Hajj and `Umrah) takes place. May Allah grant us success!

Chapter on Hajj and `Umrah

(5) Tawaf-ul-Ifadah

177- Ruling on pilgrims who do not complete Tawaf-ul-Ifadah

To his Eminence Shaykh/ `Abdul-`Aziz ibn Baz, the General Mufty of the Kingdom of Saudi Arabia. May Allah grant you success!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

My question is: My father came from Egypt to perform the obligatory Hajj, but was unable to complete Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj), Sa`y (going between Safa and Marwah), and Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) due to severe illness, crowdedness, and his frail body.

First: Is his Hajj valid or not?

Second: What should I do for him? I am his son and I work in KSA.

Third: Is there any atonement required of him if he had conjugal intercourse with his wife, and should he refrain from doing so?

Fourth: If he must return, can we delay

his visit until Ramadan to perform `Umrah as well as Hajj?

Kindly advise, may Allah reward you! As-salamu `alaykum warahmatullah wabarakatuh!

A: Wa `alaykum as-salam warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you too!) To proceed:

Your father must come immediately, if at all possible, to perform Tawaf and Sa`y. He must avoid being intimate with his wife until he performs Tawaf and Sa`y. If he had marital relations with his wife, he must offer a sacrificial animal meeting the same conditions for Ud-hiyah (sacrificial animal offered by non-pilgrims) to be slaughtered in Makkah and distributed among the poor and the needy. In addition to repentance and sincere regret, he must not approach her until he performs Tawaf and Sa`y. However, his Hajj is valid and you must help him as much as you can. May Allah bless you! As-salamu `Alaykum warahmatullah wabarakatuh!

178- Ruling on a pilgrim who ends Ihram after spending the night at Muzdalifah

From `Abdul-`Aziz ibn `Abdullah ibn Baz to the honorable brother `A. M. B. G., may Allah grant you success, Amen!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!) To proceed:

I received your letter dated 17/3/1392 - may Allah guide you - in which you **inquire about what occurred to you during Hajj. You mentioned that you stood in `Arafah, spent the night at Muzdalifah then terminated Ihram (ritual state for Hajj or `Umrah) without stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) due to your forgetting to offer Zhuhr (Noon) and `Asr (Afternoon) Prayers at `Arafah until shortly before sunset, so you became upset and did not complete the rites of Hajj. Accordingly, you are asking what should you do in this regard?**

A: You are presently considered to be still in the state of Ihram, and your intention of Tahalul (removal of the ritual state for Hajj and `Umrah) does not count. You have not met the conditions for Tahalul. Thus, you must immediately put on your Ihram clothing as soon as you receive this letter, and go to Makkah with the intention of completing Hajj. Make seven rounds of Tawaf (circumambulation)

around the Ka`bah for Hajj, perform the Two Rak'ahs after Tawaf (two-unit-Prayer performed after circumambulating the Ka`bah), then Sa`y (going) between Safa and Marwah for Hajj. Afterwards, you must have your hair shaved or shortened, but shaving is better if you have not done this before with the intention of Hajj. Then, you should terminate Ihram. You have to offer a sacrifice for abandoning stoning all the Jamrat: if you have not stoned Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) on the day of `Eid; or the three stonings on the eleventh and the twelfth of Dhul-Hijjah. The sacrifice should be one seventh of a camel, one seventh of a cow, or a one-year-old-goat or a six-month-year-old sheep that is to be slaughtered in Al-Haram Al-Makky (the Sacred Sanctuary of Makkah) and distributed among the poor there. You also have to offer another sacrifice meeting the same conditions for not spending the night at Mina on the days of Mina if you have not done so. It should also be slaughtered in Al-Haram Al-Makky and distributed among the poor there. Furthermore, you should make Tawbah (repentance) and Istighfar (seeking forgiveness from Allah) for your negligence in omitting the obligatory stoning of the Jamrat at its due time and staying the night at Mina if you did not spend the night there.

Regarding the time of performing Tawaf, Sa`y and shaving, it is flexible. But, performing them at the time of Hajj is best. If you are married and have engaged in sexual intercourse with your wife, you have voided your Hajj. You must still complete what has been mentioned; for the Fasid (void) Hajj must be completed as though it is valid. Allah (Exalted be He) states: ﴾And perform properly (i.e. all the ceremonies according to the ways of Prophet Muhammad صلى الله عليه وسلم), the Hajj and 'Umrah (i.e. the pilgrimage to Makkah) for Allâh.﴿ You should make up for it in the future according to

your ability. Furthermore, you must offer a Badanah (a camel or a cow or an ox driven to be offered as a sacrifice by the pilgrims at the Sanctuary of Makkah) for invalidating your Hajj by having sexual intercourse with your wife before terminating Ihram. It must be slaughtered in Al-Haram Al-Makky and distributed among the poor, unless you have stoned

Jamrat-ul-`Aqabah on the day of the `Eid, in which case a sheep will suffice instead of a Badanah. Your Hajj will not be invalid as in the case of a pilgrim who has had intercourse after Tawaf and before completing Tahalul by stoning or shaving. May Allah grant us all success in gaining a good understanding of His Religion and to be steadfast upon it. As-salamu `alaykum warahmatullah wabarakatuh!

Q: One year, I performed the obligatory duty of Hajj. My mother and two sisters were with me, but my mother and one of my sisters became ill. We performed Ifrad Hajj (performing Hajj only). I stoned on behalf of the three of them, because of my sisters being ill and the difficulty of my mother stoning due to crowdedness. We stoned Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) at 3 a.m. on Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) then left Muzdalifah at 12.30 a.m. after midnight according to the Rukhsah (concession) granted by the Prophet (peace be upon him). We delayed Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) to perform it with Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah); one Tawaf with intention of performing both. But one of the women fainted during Tawaf-ul-Wada`, so we had to stop for about a half an hour while I went to search for a wheelchair to assist her in making Tawaf. I was not able to find one so we resumed Tawaf from where we stopped after one and a half rounds. Thus, we completed five and a half rounds. My question is regarding the validity and the manner of stoning by proxy and resuming Tawaf instead of starting all over again. Is our Hajj valid, and if not, is there any compensation due on us?

A: Your Hajj is valid and completing the Tawaf from where you stopped

is correct, according to the more correct of the two opinions maintained by scholars. As for the woman who did not stone Jamrat-ul-`Aqabah even though she is sound and healthy, she must offer a sacrifice to be slaughtered in Makkah for the poor to make up for the missed part of her Hajj. I ask Allah to forgive you and us and every Muslim and to accept our deeds.

179- Ruling on doubting the number of the rounds of Tawaf

Q: We went to perform Hajj and after we performed Tawaf (circumambulation around the Ka`bah) we had doubts about the number of rounds we made. Some of us believed that we completed the seven rounds and others felt there was still one last round. Some offered another round and others, including me, departed. What is the ruling on our Hajj in light of what I have mentioned? Is it valid?

A: If the group that departed, including you, was sure of completing the seven rounds, your Tawaf is valid, all praise be to Allah; whereas those who had doubts should make a seventh round if the intervening period was not long. But if it was long, they should repeat all the rounds of Tawaf again. With regard to the first group, if they went away without being sure of performing seven complete rounds, they are required to return to Makkah and offer Tawaf in full along with repentance and seeking Allah's Forgiveness for the negligence that occurred. Moreover, if some of them had conjugal relations with their spouses,

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they must offer a sacrificial animal and slaughter it in Makkah, because it is not permissible to have sexual intercourse with one's spouse before offering Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj). The meat of the sheep should be given to the poor in Makkah. However, if it is only a passing doubt after performing Tawaf and leaving the Ka`bah, as in your case, while one is sure of completing Tawaf, nothing is required to be done as this kind of doubt is of no consequence and must be ignored. This ruling applies to all acts of worship where there is some passing doubt after having completed it. May Allah grant us success!

180-Ruling on performing Tawaf-ul-Ifadah on the Day of `Arafah

Q: I performed Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) on the Day of `Arafah only to be informed later that I have to return and repeat Tawaf-ul-Ifadah. Must I also perform Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah), bearing in mind that I have already performed it?

A: Tawaf-ul-Ifadah should not be performed on the Day of `Arafah (9th of Dhul-Hijjah). It is to be performed after coming down from `Arafah and Muzdalifah in the end of the night preceding `Eid (Festival), on the day of `Eid, or on later days. This is the correct time for performing Tawaf-ul-Ifadah. Therefore, the Tawaf of any pilgrim who performs it on the Day of `Arafah out of ignorance is invalid.

It must be repeated after coming down from `Arafah on the day of `Eid or on later days. Tawaf-ul-Ifadah is a must and the time to perform it is after coming down from Muzdalifah in the last half of the night of Muzdalifah, on the day of `Eid, or on later days. Hence, you have yet to perform Tawaf and must do so. If you had relations with your wife before Tawaf and after stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) and shaving the hair, you must offer a sacrificial animal to be slaughtered in Makkah for the poor and you must repent to Allah and ask His Forgiveness. If you did not have conjugal relations, you should perform Tawaf and complete your Hajj. You must also perform Sa`y (going between Safa and Marwah during Hajj and `Umrah) along with Tawaf - if you are performing Qiran Hajj (combining Hajj and `Umrah without a break in between) or Ifrad Hajj (performing Hajj only) and have not performed Sa`y before `Arafah. In such a case, you must perform Sa`y and Tawaf for Hajj. As for the Tawaf you performed on the Day of `Arafah, it is invalid, unless the pilgrim has just arrived in Makkah on the Day of `Arafah, performed Tawaf and Sa`y, and then left Makkah on the Day of `Arafah to `Arafat. This Tawaf is called Tawaf-ul-Qudum (circumambulation around the Ka`bah upon arrival in Makkah) or is called Tawaf of `Umrah in the case of Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between), in which the pilgrim performs Tawaf and Sa`y and then cuts short the hair and ends Ihram (ritual state for Hajj or `Umrah). In the case of Qiran Hajj or Ifrad Hajj, the pilgrim may perform Tawaf and Sa`y and then head for `Arafat late in the day or at night. Tawaf in this a case is valid, but it is called Tawaf-ul-Qudum not Tawaf-ul-Ifadah. Tawaf-ul-Ifadah is the one performed after Hajj and after coming down from `Arafah and Muzdalifah.

181- Ruling on wearing sewn clothes after stoning Jamrat-ul-`Aqabah, and shaving or shortening the hair

Respected Shaykh/ `Abdul-`Aziz ibn `Abdullah ibn Baz, may Allah protect you!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I want to perform Hajj this year, In sha'a-Allah (if Allah wills). Therefore, I need to ask about some Hajj-related issues that I do not know. I hope that you, with Allah's Help, will enlighten us in this regard and may Allah reward you and repay your efforts, In sha'a-Allah. These issues are as follow:

After stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) on the tenth day, if we want to come down to Makkah after having shaved our head, should we perform Tawaf while wearing the clothing of Ihram (ritual state for Hajj or `Umrah) till the end of Sa`y (going between Safa and Marwah during Hajj and `Umrah)? Or, is it permissible for us to wear sewn clothes after stoning the Jamrat and shaving our head in Mina?

A: If a pilgrim stones Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) on the day of `Eid and then shaves or cuts short his hair, he has performed the first Tahalul (partial ending of the ritual state for Hajj or `Umrah through shaving or shortening the hair and throwing pebbles at Jamrat-ul-`Aqabah before performing Tawaf-ul-Ifadah) and it becomes permissible for him to apply perfume to the body and wear sewn clothes. There only remains for him the prohibition of having conjugal relations. He may perform Tawaf and Sa`y while wearing either the clothing of Ihram

or regular sewn clothes and covering his head during Tawaf and Sa`y. This becomes permissible by performance of the first Tahalul through stoning Jamrat-ul-`Aqabah and shaving or cutting short the hair as regards both men and women. However, a woman may not shave her hair; rather, she may only clip her hair. May Allah grant us success!

182- Ruling on performing Tawaf while ritually impure

Q: If a pilgrim performs Tawaf (circumambulation around the Ka`bah) while not in a state of Taharah (ritual purification) on the day of `Eid, then performs Sa`y (going between Safa and Marwah during Hajj and `Umrah) being ignorant of this, should one repeat Tawaf and perform Sa`y after it? Is it permissible to delay performing this Tawaf till Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) without performing Sa`y? May Allah reward you with the best!

A: This pilgrim must repeat the Tawaf. However, if one delays performing it till one intends to travel and so performs it when one embarks on the journey, it will suffice for Tawaf-ul-Wada`. In either case, it is best to repeat Sa`y in order to be on the safe side and avoid the divergent opinions of scholars.

183- Menstruating women and postpartum mothers must make Tawaf-ul-Ifadah when they are purified

Q: What is the ruling on a woman who began menstruating before performing Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)? It may be worth mentioning that the woman performed all the other rites of Hajj and her period did not stop even after the end of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah).

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A: If a woman menstruates or undergoes a postpartum period before Tawaf-ul-Ifadah, she must perform Tawaf once she is Tahir (ritually pure), even in the case that this only occurs some days after Hajj or in the month of Muharram or Safar. Tawaf-ul-Ifadah, thus, has no time limit though some scholars are of the view that it is impermissible to delay any later than Dhul-Hijjah, but there is no proof to support such view. The correct view is that it is permissible to delay it. However, it is best to hasten to perform Tawaf-ul-Ifadah when one is able to, but it will count as sufficient if delayed beyond Dhul-Hijjah without being required to offer any Fidyah (ransom).

Menstruating women and postpartum mothers are excused. There is no blame on them for delaying Tawaf-ul-Ifadah, as this matter is not in their hands. Once they are Tahir, they should perform Tawaf, whether in the month of Dhul-Hijjah or Muharram.

184- Completing the rites of Hajj after Taharah from postpartum bleeding

Q: A mother began her postpartum period on the Day of Tarwiyah (8th of Dhul-Hijjah). She performed all the Rukns (mandatory rites) of Hajj except Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah). The woman noticed that her postpartum period ended after ten days. Does she have to perform Ghusl (full ritual bath) and perform the remaining Rukn, i.e. Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)?

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A: Yes, if the mother has the postpartum period, for example, on the eighth day of Dhul-Hijjah, she is to continue her Hajj, proceed with other pilgrims to `Arafat and Muzdalifah, throw the pebbles (at the stone pillars during Hajj), shorten her hair, offer the Hady (sacrificial animal offered by pilgrims) etc. However, she should delay Tawaf and Sa`y until she becomes pure, whether after ten days or more or less. Once the period is over, she should perform Ghusl, and thus she becomes ready to perform Salah (Prayer), Sawm (Fast), Tawaf and Sa`y. There is no specific minimum length of postpartum period. A woman, therefore, may become pure in ten days or more or less, but the maximum postpartum period is forty days. Consequently, in case that a postpartum period lasts for forty days yet the bleeding has not ceased, the concerned mother is to consider herself pure. Accordingly, She is to perform Ghusl, offer Salah (Prayer), observe Sawm (Fast), and becomes lawful to her husband (to have conjugal intercourse with). She is to regard such blood as abnormal vaginal bleeding (outside the menstrual or postpartum period) and she should observe Salah while experiencing it, according to the correct opinion of scholars. However, she must do her best, by using pads etc., to prevent the leaking of blood. She also has to perform Wudu' (ablution) for every Salah (Prayer), but she may combine Zhuhr (Noon) Prayer with `Asr (Afternoon) Prayer, and Maghrib (Sunset) Prayer with `Isha' (Night) Prayer, as the Prophet (peace be upon him) advised Hamnah bint Jahsh to do so.

Q: A woman began menstruating five days after she traveled for Hajj. When she reached the Miqat (site for entering the ritual state for Hajj or `Umrah), she performed Ghusl (full ritual bath) and entered Ihram (ritual state for Hajj or `Umrah) while she was still menstruating. Upon arrival in Makkah Al-Mukarramah (Makkah, the Honored) she remained outside the Haram (all areas within the Sacred Sanctuary of Makkah) and did not perform any of the rites of Hajj or `Umrah (lesser pilgrimage).

She stayed two days in Mina then the period stopped, so she made Ghusl, and performed all the rites of `Umrah, while she was Tahir (ritually pure). However, she began menstruating again during Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj). She was too shy to tell her guardian, so she continued the rites of Hajj and informed her guardian about it only after they had returned to their country. What is the ruling on this?

A: If the case is as mentioned in the question, the woman referred to has to complete her Hajj by going to Makkah and performing Tawaf around the Ka`bah seven times with the intention of making up for the Tawaf of Hajj during which her menstruation resumed. After completing Tawaf, she is to pray two Rak`ahs (units of Prayer) behind Maqam Ibrahim (the Station of Ibrahim) or elsewhere in the Haram. This way her Hajj is completed.

In addition, the woman in question must slaughter a sacrificial animal in Makkah, and distribute its meat among the poor there, if her husband had martial relations with her after returning from Hajj. This is because a female Muhrim (pilgrim in the ritual state for Hajj and `Umrah) is not lawful to her husband except after completing Tawaf-ul-Ifadah, throwing the pebbles (at the stone pillars during Hajj), and shortening her hair.

She also has to perform Sa`y (going between Safa and Marwa during Hajj and `Umrah), if she has yet to do it in case

she intended Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between). But if the woman in question intended Qiran Hajj (combining Hajj and `Umrah without a break in between) or Ifrad Hajj (performing Hajj only), she does not have to perform any other Sa`y, as long as she already made Sa`y with Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah).

Finally, she must make Tawbah (repentance to Allah, may He be Glorified and Exalted) for performing Tawaf while menstruating, leaving Makkah before offering another Tawaf, and delaying Tawaf all this long period. May Allah accept her Tawbah!

185- Ruling on combining Tawaf-ul-Ifadah with Tawaf-ul-Wada`

Q: Is it permissible to combine Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) with Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah), if one is immediately leaving Makkah and going back to homeland?

A: Doing so is permissible; a pilgrim may delay Tawaf-ul-Ifadah and combine it with Tawaf-ul-Wada` after throwing the pebbles (at the stone pillars during Hajj) and completing all other Hajj rites and intending to leave Makkah. In this case Tawaf-ul-Ifadah suffices for Tawaf-ul-Wada`.

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Although performing Tawaf-ul-Ifadah and Tawaf-ul-Wada`, each separately, is adding good to good; but if the pilgrim performs only one Tawaf, intending it for Hajj, this will discharge the obligation.

186- Tawaf-ul-Ifadah need not be performed on behalf of a pilgrim who dies before completing it

Q: Should we perform Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) on behalf of a pilgrim who dies before completing it?

A: Tawaf-ul-Ifadah should not be made up for on behalf of a pilgrim who dies after completing all the rites of Hajj except for this Tawaf. The ruling is based on the Hadith of Ibn `Abbas (may Allah be pleased with them both) who said:

﴾While a man was standing with the Prophet (peace be upon him) at `Arafah, he fell off his camel and it broke his neck. The Prophet (peace be upon him) said, 'Wash him with water and lotus leaves, and shroud him in two garments, but do not apply perfume or cover his head, for he will be raised on the Day of Resurrection reciting Talbiyah (devotional expressions chanted at certain times during Hajj and `Umrah).'﴿

(Related by Al-Bukhari, Muslim, and the Compilers of Sunan [Abu Dawud, Al-Tirmidhy, Al-Nasa'y, and Ibn Majah]) The Prophet (peace be upon him), thus, did not instruct Muslims to perform Tawaf-ul-Ifadah on behalf of this Sahaby (Companion of the Prophet). Rather, he (peace be upon him) informed that the Sahaby will be resurrected on the Day of Judgment reciting Talbiyah, because he remained in Ihram (ritual state for Hajj and `Umrah), as he neither completed Tawaf-ul-Ifadah nor was it performed on his behalf.

Chapter on the Description of Hajj and `Umrah

(6) Sa`y

187- Ruling on Sa`y

Q: What is the ruling on Sa`y (going between Safa and Marwah during Hajj and `Umrah) during Hajj and `Umrah?

A: Sa`y is a Rukn (integral pillar) of Hajj and `Umrah. The Prophet (peace be upon him) said: ﴾Learn your (Hajj) rites from me.﴿ The sayings of the Prophet (peace be upon him) are explained by his actions; and he (peace be upon him) performed Sa`y in both Hajj and `Umrah.

188- Pilgrims who perform Ifrad or Qiran Hajj do not have to perform another Sa`y

Q: I performed Ifrad Hajj (performing Hajj only) and completed Tawaf (circumambulation of the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) before staying at `Arafah.

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Must I perform another Sa`y with Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj)?

A: Pilgrims performing Ifrad or Qiran Hajj (combining Hajj and `Umrah without a break in between) who go to Makkah, perform Tawaf and Sa`y, without removing their Ihram (clothing worn during the ritual state for Hajj and `Umrah) or performing Tahallul (removal of the ritual state for Hajj or `Umrah), due to being in Ifrad or Qiran Hajj, need not perform another Sa`y as the first one is sufficient. Accordingly, it is sufficient for such pilgrims to complete Tawaf-ul-Ifadah on the first day of `Eid-ul-Adha (the Festival of the Sacrifice) or after it, so long as they have not performed Tahallul until the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah). The first Sa`y performed will be sufficient, whether such a category of pilgrims have a Hady (sacrificial animal offered by pilgrims) or not, if they perform Tahallul only after leaving `Arafah, i.e. on the day of `Eid-ul-Adha. In this case their first Sa`y will be sufficient, and they need not perform another Sa`y, whether they are performing Qiran Hajj or Ifrad Hajj. Second Sa`y is only required from pilgrims performing Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between) who put on Ihram for `Umrah, perform its Tawaf and Sa`y, make Tahallul, then put on Ihram for Hajj. This category of pilgrims will have to make another Sa`y apart from that of `Umrah.

189- Ruling on performing Sa`y before Tawaf-ul-Ifadah

Q: Is it permissible to perform Sa`y (going between Safa and Marwah during Hajj and `Umrah) before Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)?

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A: It is better to perform it after Tawaf. It should not be performed before it. A pilgrim should perform Tawaf first then Sa`y, as the Prophet (peace be upon him) did. But if a pilgrim performs Sa`y first forgetfully or out of ignorance of the ruling, it will count as sufficient.

190. The Sunnah is to perform Tawaf first and then Sa‘y

Q: Is it permissible to perform Sa‘y (going between Safa and Marwah during Hajj) before Tawaf (circumambulation around the Ka‘bah), either during Hajj or ‘Umrah (lesser pilgrimage)?

A: The Sunnah (act of worship following the example of the Prophet) is to perform the Tawaf first and then the Sa‘y after it. However, if someone performs Sa‘y before Tawaf due to ignorance, there is no problem in doing so. It was authentically reported from the Prophet (peace be upon him) that (A man asked him saying, "I performed Sa‘y before Tawaf." He (peace be upon him) said, "There is no sin (in that).") This shows that performing Sa‘y first counts as sufficient, but it is Sunnah to perform Tawaf and then Sa‘y in both Hajj and ‘Umrah.

From `Abdul-`Aziz ibn `Abdullah ibn Baz to the honorable brother, His Eminence the judge of the Court of Cassation in the western district, may Allah guide you to what pleases Him, Amen!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I received your letter, dated 8/1/1413 A.H., which includes five questions. May Allah bless you! The questions are answered as follows:

Q: On the Day of Tarwiyah (8th of Dhul-Hijjah), a pilgrim entered Ihram (ritual state for Hajj or `Umrah) for Hajj from Makkah Al-Mukarramah and went to the Haram (the sacred precincts of Makkah) on the same day. He only performed Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj), considering the first Sa`y (going between Safa and Marwah during Hajj) made on the Day of Tarwiyah as sufficient. Is this Sa`y sufficient? It is worth mentioning that some scholars stipulate that a valid Sa`y requires the pilgrim to perform it after Tawaf-ul-Nusk (fundamental circumambulation of the Ka`bah during Hajj or `Umrah), such as Tawaf-ul-Qudum (circumambulation of the

Ka`bah on arrival in Makkah). If this is correct, please provide the evidence.

A: It was authentically reported that the Prophet (peace be upon him) would perform Sa`y after Tawaf during his Hajj and `Umrah, and not the opposite as far as we know.

No report is authentically reported from the Prophet (peace be upon him) that proves that he performed Sa`y after a voluntary Tawaf. During the Farewell Hajj, he performed Sa`y after Tawaf-ul-Qudum (circumambulation of the Ka`bah on arrival in Makkah), which is an obligatory rite. Furthermore, during `Umrah he performed Sa`y after Tawaf, which is one of the integral rites and pillars of `Umrah.

In his book, "Al-Fatwa", vol. 26, Shaykh of Islam, Ibn Taymiyyah (may Allah be merciful to him) mentioned the evidence that performing Sa`y after Tawaf-ul-Nusk (fundamental circumambulation of the Ka`bah during Hajj or `Umrah) is a matter of Ijma` (consensus of scholars). Yet, it was authentically reported that when pilgrims asked the Prophet (peace be upon him) during the Farewell Hajj about the rites on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah) such throwing the pebbles, slaughtering the sacrifice, shaving or shortening the hair, performing Sa`y and Tawaf, and making a ritual before another, he (peace be upon him) replied: ﴾There is no harm.﴿

Hence, this unrestricted reply applies to performing Sa`y before Tawaf during Hajj and `Umrah. A group of scholars are of this view which is affirmed by the report related by Abu Dawud through an authentic Isnad (chain of narrators) on the authority of Usamah ibn Sharik that the Prophet (peace be upon him) replied saying, "No harm" when asked about the permissibility of performing Sa`y before Tawaf. This holds true with the Sa`y during Hajj and `Umrah. None of the authentic explicit proofs contradict this.

If performing Sa`y before Tawaf-ul-Nusk is permissible, then doing it before voluntary Tawaf, with greater reason, is also permissible.

However, to be on the safe side and avoid the divergent opinions of scholars, one should repeat Sa`y after Tawaf-ul-Nusk, to be acting upon the Sunnah.

The opinion mentioned by Shaykh Taqi Al-Din (may Allah be merciful to him) concerning the agreement of the scholars on the obligation of performing Sa`y after Tawaf can be interpreted as being the best thing to do. As for permissibility of performing Sa`y before Tawaf, it is controversial as previously mentioned. Among the scholars who stated it is the author of the book "Al-Mughny" vol. 3, p. 390; where he (may Allah be merciful to him) cited unrestricted permissibility from `Ata' and one of the two opinions reported from Ahmad that permits this act for one who forgets to perform Sa`y.

Among the evidence that it is impermissible for one entering Ihram for Hajj from Makkah to perform Sa`y and Tawaf before starting Hajj is the Prophet's command to pilgrims intending to perform Hajj to proceed to Mina from their residence place in the Farewell Hajj. He (peace be upon him) did not order the Hajj pilgrims to perform Sa`y or Tawaf before heading to Mina. This indicates that a pilgrim who enters Ihram for Hajj from Makkah is prescribed to go to Mina before performing Tawaf or Sa`y. When they return to Makkah after their stay at `Arafah and Muzdalifah they are to perform Tawaf and Sa`y to complete the rites of Hajj. May Allah grant us success!

191. Ruling on performing Hajj without Sa‘y

Q: I am a resident of Makkah. I performed Hajj last year and I performed Tawaf (circumambulation around the Ka‘bah), but I did not perform Sa‘y (going between Safa and Marwah during Hajj and ‘Umrah). What is the ruling on this?

A: You are required to perform Sa‘y; you were mistaken in not doing so. You have to perform Sa‘y, whether you are a resident of Makkah or elsewhere. You must perform Sa‘y following Tawaf after descending from ‘Arafat. Anyone who omitted Sa‘y should perform it now. If they have had sexual intercourse with their spouse, they should slaughter a sacrificial animal in Makkah, and distribute the meat to the poor there, because their major Tahalul (final removal of the ritual state for Hajj and ‘Umrah) will not be effected until they have performed Sa‘y. So you should perform Sa‘y now, with the intention of doing so for the previous Hajj, and you have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and ‘Umrah) if you have had sexual intercourse with your spouse.

192 - Ruling on extra rounds of Sa`y

Q: I have performed Sa`y (going) between Safa and Marwah, but I counted going from Safa and back to Safa as one round; is there anything due upon me?

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A: You have increased the number of rounds to fourteen, while the obligatory rounds are seven. The extra rounds performed are not permissible, because they are inconsistent with Shari`ah (Islamic law); however, you are excused because you are ignorant of this fact. You must repent to Allah and not repeat this if you perform Hajj or `Umrah again. This rite is completed by seven rounds, each beginning from Safa and ending at Marwah. Then from Marwah back to Safa is a new round. You should begin from Safa and end at Marwah seven times.

193- Ruling on separating Tawaf and Sa`y by a long interval

Q: I performed Tawaf-ul-Qudum (circumambulation around the Ka`bah on arrival in Makkah) and Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) without performing Sa`y (going between Safa and Marwah during Hajj and `Umrah). Is it permissible to allow a long interval between Tawaf and Sa`y ?

A: There is nothing wrong in separating between Sa`y and Tawaf, according to the people of knowledge. Accordingly, if a pilgrim performs Sa`y after Tawaf following a long period of time or on another day, this is permissible, but it is best to perform Sa`y then directly perform Tawaf.

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So when a pilgrim performs Tawaf for `Umrah (lesser pilgrimage), they are to perform Sa`y without separation. The same applies to Hajj. But there is nothing wrong in separating them, because Sa`y is an independent act of worship; therefore, a period intervening between them will be of no consequence. Accordingly, there is nothing wrong if a pilgrim performing Ifrad Hajj (performing Hajj only) or Qiran Hajj (combining Hajj and `Umrah without a break in between) performs Tawaf only and delays Sa`y until after leaving `Arafah. There is nothing wrong also if it is performed with Tawaf before going to `Arafah.

194- It is not a condition to perform the rounds of Sa`y successively

Q: A group of pilgrims started performing Sa`y (going between Safa and Marwah during Hajj and `Umrah); they completed five rounds and then left the Mas`a (the place where pilgrims go between Safa and Marwah). They remembered the two remaining rounds only after returning home. What is the ruling regarding this issue?

A: Those pilgrims who performed five rounds of Sa`y and returned home forgetting two remaining rounds must go back to complete the two rounds. Doing so is correct, because it is not a condition to perform the rounds of Sa`y successively, according to the preponderant scholarly opinion. However, there is nothing wrong in repeating the entire Sa`y from the beginning,

although the correct opinion is that it is enough to perform the two remaining rounds to complete Sa`y.

195- Ruling on shortening the hair and wearing ordinary clothes before completing Sa`y

Q: A pilgrim performed only five or six rounds of Sa`y (going between Safa and Marwah during Hajj) out of forgetfulness or ignorance and then cut short his hair and wore ordinary clothes. What the ruling on this?

A: He must take off his ordinary clothes, put on again his Izar (garment worn below the waist) and Rida' (garment worn around the upper part of the body), and complete the remaining rounds of Sa`y, if the break is short. He should then shave or cut short his hair and wear ordinary clothes, and he will be liable to nothing. If there is a long break, he must re-perform Sa`y and then shave or cut short his hair, and will be liable to nothing because of forgetting or being ignorant of the ruling. The Noble Qur'an says: ﴾Our Lord! Punish us not if we forget or fall into error﴿ The Prophet (peace be upon him) is authentically reported to have said that Allah (Exalted be He) responded:

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"I have done that (i.e., forgiven them)." (Related by Muslim in his Sahih [Authentic Hadith Book]) May Allah grant us success!

196- Ruling on traveling before finishing Sa`y

Q: I performed Hajj last year. After performing four rounds of Sa`y (going between Safa and Marwah during Hajj), one of my female companions got ill; I, therefore, took her to the residence. I then traveled to the country where I work. What am I liable to, respected Shaykh?

A: You have to go back to Makkah to perform seven rounds of Sa`y between Safa and Marwah intending to complete the past Hajj. Moreover, you are liable to a Hady (sacrificial animal offered by pilgrims) to be slaughtered in Makkah for the poor, if your husband had conjugal intercourse with you. However, if you have no husband or have a husband but no conjugal intercourse took place, you will be liable to no Hady.

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Furthermore, you have to perform Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) and repent to Allah (Exalted be He) asking Him to forgive the mistake you committed. May Allah forgive you, us and all Muslims!

Chapter: Description of Hajj and `Umrah

(7) Acts prescribed on the Day of Nahr

197- The Sunnah is to do the rituals of the Day of Nahr in order

Q: What is the best order with regard to the acts of Hajj to be done on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals)? Is it permissible to change their order?

A: The Sunnah (action following the example of the Prophet) on the Day of Nahr is to begin by throwing the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah) with seven pebbles to be thrown successively one after the other and pronounce Takbir (saying: "Allahu Akbar [Allah is the Greatest]") with each throw, then to offer the Hady (sacrificial animal offered by pilgrims) if one has to, then shave or cut short the hair - though shaving is better.

Then the pilgrim is to perform Tawaf (circumambulation of the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah), if they have yet to perform Sa`y. This is the best order as observed by the Prophet (peace be upon him) who ﴾threw the pebbles (at the pebble-throwing area during Hajj), slaughtered the Hady, shaved his head, then went to Makkah to perform Tawaf.﴿ This is the best order: throwing the pebbles, slaughtering, shaving or shortening, then Tawaf and Sa`y, if one still has to do it. However, there is nothing wrong with shifting the order;

if one slaughtered the Hady before throwing the pebbles, performed Tawaf before throwing the pebbles, shaved their head before throwing the pebbles or shaved their head before slaughtering, there is no problem with any of this. The Prophet (peace be upon him) ﴾was asked about those who made some ritual in advance and put off another. He (peace be upon him) replied, 'There is no harm, there is no harm.'﴿

Q: Is it permissible to throw at the Jamrah (stone pillar at which pebbles are thrown during Hajj) and then return to sacrifice animals before tawaf (circumambulation around the Ka'bah)?

A: The Sunnah (action following the example of the Prophet) for pilgrims is to do four or five acts on the Day of 'Eid-ul-Adha (the Festival of the Sacrifice):

First: Ramy (throwing pebbles) at the Jamrah, i.e. Jamrat-ul-'Aqabah (the closest stone pillar to Makkah). They should throw seven pebbles at Jamrat-ul-'Aqabah on the Day of 'Eid, after sunrise, as the Prophet (peace be upon him) used to do, if they had not done this at the end of the previous night. People who are weak, such as women, and people who are sick or old, and those with them, may throw at the Jamrah in the last half of the night spent at Muzdalifah. As for people who are strong, it is prescribed that they should throw at the Jamrah in the forenoon, after the sun has risen, as

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the Prophet (peace be upon him) did.

Second: Nahr (Sacrifice), when pilgrims slaughter their Hady (sacrificial animal). Anyone who has a Hady should sacrifice it in Mina, - this is better if there are poor people there - or in Makkah and the rest of the Haram (all areas within the Sacred Sanctuary of Makkah).

Camels should be slaughtered standing, with their left leg tied, and cows and sheep should be slaughtered lying on their left side facing towards the Qiblah (direction faced for Prayer towards the Ka'bah).

Third: Halq or Taqsir (shaving or cutting of hair). Men can either shave or cut their hair, but it is better for men to shave it, because the Prophet (peace be upon him) ﴾Supplicated three times for forgiveness and mercy for those who shaved their heads and once for those who cut their hair.﴿ A woman should only trim a little of her hair. If she has braids, she should just cut a little off the end of each braid.

Fourth: Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka'bah in Hajj) is also called the Tawaf of Hajj. If a pilgrim still has to perform Sa'y, this is considered as the fifth obligation. This Sa'y is required from the pilgrims performing Tamattu' Hajj (combining Hajj and 'Umrah with a break in between), who should perform a Sa'y for Hajj and one for 'Umrah. The same applies to the pilgrims performing Ifrad Hajj (performing Hajj only) and Qiran Hajj (combining Hajj and 'Umrah simultaneously), if they have not performed Sa'y with Tawaf-ul-Qudum (circumambulation around the Ka'bah on arrival in Makkah). These are the five acts that should be done on the first Day of 'Eid: first throwing the pebbles, then sacrificing the animals, then shaving or cutting the hair, then Tawaf, and then Sa'y for pilgrims who still need to do it. Doing these acts was prescribed by Allah and performed by the Prophet (peace be upon him) in this order. He (peace be upon him) ﴾Threw pebbles, slaughtered his Hady, shaved his head, wore perfume, and went to Makkah to perform Tawaf.﴿

However, if some of these acts are done before others, it is not a problem, such as slaughtering the Hady before throwing the pebbles or performing Tawaf before slaughtering the Hady; there is nothing wrong with that, because, when the Prophet (peace be upon him) was asked about this, he said, ﴾"There is no sin (in that); there is no sin."﴿ Women might need to go to Makkah to perform Tawaf before they start their menstruation; so if, in anticipation of menstruation, they go at the end of the night to first perform Tawaf before they throw at the Jamrah, slaughter their Hady, or trim their hair, there is nothing wrong with doing so, as there is flexibility in this matter, all praise be to Allah! It was authentically reported from Um Salamah (may Allah be pleased with her) that she threw at the Jamrah on the eve of 'Eid, before dawn, and then she went to Makkah to perform Tawaf-ul-Ifadah. It was also authentically reported from the Prophet (peace be upon him) that a man asked him, ﴾"O Messenger of Allah! Inattentively I shaved my head before slaughtering the Hady!" He (peace be upon him) said, "Slaughter (it), and there in no sin." Another said, "Inattentively I slaughtered the Hady before throwing the pebbles!" He (peace be upon him) said, "Throw, and there in no sin." The narrating Sahaby (Companion of the Prophet) commented saying, "Truly, anything he (peace be upon him) was asked about on that day (the Day of Sacrifice, 10th of Dhul-Hijjah), whether performed in advance or delayed, he (peace be upon him) answered, "Do, and there is no sin."﴿ May his Lord bestow upon him the best of blessings and greatest of peace. Truly, this is from Allah's Kindness towards His Servants. All praise and thanks are due to Allah.

198 - Ruling on pilgrims who shave their hair before Salat-ul-`Eid

Q: What is the ruling on shaving before Salat-ul-`Eid (the Festival Prayer) during Hajj? May Allah reward you.

A: This matter needs a detailed answer. It is permissible for those who perform Hajj to shave or shorten their hair when they throw the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah). As for Salat-ul-`Eid, there is no Salah due on them. They throw the pebbles (at the pebble-throwing area during Hajj) then shave their hair. If they shave their hair before throwing the pebbles, it will be sufficient for them: ❨On the day of `Eid, the Prophet (peace be upon him) was asked about those who made some ritual in advance and put off another. The Prophet (peace be upon him) would reply, 'There is no harm, there is no harm.'❩ But the Sunnah (action following the example of the Prophet) is to throw the pebbles then slaughter and shave or shorten the hair; although shaving is better, then to perform Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj). There is no harm if a pilgrim performs some rite before another. There is no Salat-ul-`Eid for pilgrims on the Day of `Eid, because throwing the pebbles takes the place of Salah.

199- Ruling on not cutting short all the hair

Q: What is the ruling on cutting short only four or five hairs?

A: It is obligatory on the pilgrim performing Hajj or `Umrah (lesser pilgrimage) to shave or cut short all the hair on the head, as was the practice of the Prophet (peace be upon him) and his Sahabah (Companions of the Prophet, may Allah be pleased with them) in compliance with his Command to do so.

200- Ruling on performing Tawaf-ul-Ifadah and Sa`y before stoning Jamrat-ul-`Aqabah

Q: Is it permissible to perform Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) before throwing the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah) or before staying in `Arafah? Answer us, may Allah benefit you!

A: It is permissible to perform Tawaf and Sa`y of Hajj before throwing the pebbles. However, it is impermissible to perform the Tawaf of Hajj before `Arafat or before midnight of the night preceding the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah).

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Rather, after leaving there and after leaving Muzdalifah on this night, it will be permissible to perform Tawaf and Sa`y in the second half of that night or on the Day of Nahr before throwing the pebbles. (A man asked the Prophet (peace be upon him): I have performed Tawaf-ul-Ifadah before throwing the pebbles. He (peace be upon him) said: There is no harm.) Once a pilgrim leaves Muzdalifah on the morning of `Eid (Festival) or during the last portion of the night preceding it, especially if the pilgrim is from among the weak including women who leave during the last portion of night, it will be permissible for them to proceed to perform Tawaf before a woman menstruates. Likewise, a weak man may proceed to perform Tawaf then throw the pebbles after that. Although doing so is unobjectionable, it is better to throw the pebbles, slaughter Hady (sacrificial animal offered by pilgrims), if it is required of him, then shave or cut short the hair - shaving being better. Then Tawaf should be performed, thus making Tawaf the last in order as was the practice of the Prophet (peace be upon him) who: (threw the pebbles (during Hajj) on `Eid day, slaughtered his Hady, shaved his hair, wore perfume and then mounted his horse to the House (Ka`bah) to perform Tawaf.) However, if the pilgrim reversed the order of some rituals; slaughtering before throwing the pebbles, shaving before slaughtering, shaving before throwing the pebbles, performing Tawaf before throwing, performing Tawaf before slaughtering or performing Tawaf before shaving, all this will count as sufficient - all praise be to Allah. In this regard, the Prophet (peace be upon him): (when asked about those who made some ritual in advance and put off another, he (peace be upon him) would reply, 'There is no harm, there is no harm.')

201- A pilgrim living at the closest point to Al-Hil may go to their habitation before Tawaf and Sa`y

Q: I live near the borders of Haram (all areas within the Sacred Sanctuary of Makkah) in the direction of Al-Tan`im. Is it permissible for me to go to my home before performing Tawaf (circumambulation of the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) of Hajj? Please advise, may Allah reward you!

A: A pilgrim living at the closest point to Al-Hil (all areas outside the Sacred Sanctuary of Makkah), such as Al-Shara`i` or the like, may go to their habitation before performing Tawaf and Sa`y.

The First Tahallul and the Second Tahallul

Q: What is meant by the First and the Second Tahallul (removal of the ritual state for Hajj and `Umrah)?

A: First [partial] Tahallul takes place when the pilgrim does two out of three rituals: after throwing the pebbles (at Jamrat-ul-`Aqabah) and shaving or shortening their hair; after throwing the pebbles and performing Tawaf (circumambulation of the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah), if they have still yet to perform Sa`y; or performing Tawaf and Sa`y and shaving or shortening their hair. This is the First Tahallul.

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When the pilgrim does the three rituals i.e., throwing the pebbles and performing Tawaf and Sa`y, if they still have to make Sa`y, and shaving or shortening their hair, this is the Second [final] Tahallul. Yet if a pilgrim does only two of these rituals, then they are permitted to wear Makhit (clothes sewn to fit body limbs) and put perfume and everything that is prohibited during Ihram (ritual state for Hajj or `Umrah) becomes allowed for them except for having conjugal intercourse, which they will be permitted to do after performing the third ritual.

Some of the scholars are of the opinion that by throwing the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah) on the Day of `Eid, the First Tahallul takes place. This is a good opinion. If it is applied by any pilgrim, there is nothing wrong with this, In sha'a-Allah (if Allah wills). Yet it is preferable and more precautionary that a pilgrim should wait until they shave or shorten their hair along with it or add to it Tawaf and Sa`y, if they have still yet to perform Sa`y. This is based on the Hadith related by `Aishah - although there is weakness in its Isnad (chain of narrators) - that the Prophet (peace be upon him) said: ❨Once you throw the pebbles and shave your hair, perfume and all other things, except women (conjugal intercourse), become lawful to you.❩ There are other Hadiths also narrated in this regard. When the Prophet (peace be upon him) ❨threw the pebbles (during Hajj) on the Day of `Eid, slaughtered his sacrificial animal and shaved, he was perfumed by `Aishah.❩ The apparent meaning of the text is that the Prophet (peace be upon him) applied perfume only after throwing the pebbles, slaughtering the sacrificial animal and shaving. Accordingly, it is preferable and more precautionary that a pilgrim should perform the First Tahallul only after throwing the pebbles and shaving or shortening their hair. If it is possible for them to slaughter the sacrificial animal after throwing the pebbles and before shaving, then this is better and reconciles between the Hadiths.

Q: What are the rituals through which the pilgrim achieves the First [partial] and Second [final] Tahallul (removal of the ritual state for Hajj and `Umrah)? Should they be done in order?

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What is the meaning of driving the Hady (sacrificial animal offered by pilgrims)?

A: First Tahallul takes place when the pilgrim does two out of three rituals: throwing the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah) on the Day of `Eid; shaving or shortening the hair; and performing both Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj) and Sa`y (going between Safa and Marwah during Hajj and `Umrah), if they have still yet to perform Sa`y. Thus, when the pilgrim throws the pebbles and shaves or cuts short the hair, they have fulfilled the First Tahallul i.e., they are permitted to wear Makhit (clothes sewn to fit body limbs) absolutely, to put perfume, to clip their nails, etc. Whether the pilgrim is a Mutamatti` (pilgrim performing `Umrah during the months of Hajj, followed by Hajj in the same year with a break in between), a Qarin (pilgrim combining Hajj and `Umrah without a break in between) or a Mufrad (pilgrim performing Hajj only); once they perform Tawaf-ul-Ifadah and Sa`y, in case they have not performed Sa`y with Tawaf-ul-Qudum (circumambulation of the Ka`bah on arrival in Makkah), everything prohibited to them during Ihram (ritual state for Hajj or `Umrah) becomes permitted to them including having conjugal intercourse, applying perfume, wearing Makhit, etc.

As for driving the Hady (sacrificial animal offered by pilgrims), it means that the pilgrim should bring with them a camel or more, a cow or more, or a sheep or more as a present to be slaughtered in Makkah. A pilgrim is not allowed to terminate the state of Ihram until after slaughtering their Hady, whether bringing it from their country or while traveling on the way, because the Prophet (peace be upon him): ﴿ordered those who had a Hady that they should not to end their Ihram until they slaughter their Hady on the Day of `Eid or on the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah).﴾

These mentioned rituals do not have to be done in order. A pilgrim can perform Tawaf (circumambulation of the Ka`bah) before throwing the pebbles (at the pebble-throwing area during Hajj). They can also shave or shorten their hair before throwing the pebbles and slaughtering the sacrificial animal. Yet it is better to arrange these rituals in the way they were done by the Prophet (peace be upon him).

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Thus, a pilgrim should first throw the pebbles, then slaughter the sacrificial animal, if they have either a Hady or are obliged to slaughter one, then they should either shave or shorten the hair of their head, then they should perform Tawaf and then Sa`y, if they still have to perform Sa`y. This is the prescribed order.

203- When a wife is lawful to her husband during Hajj

Q: After a pilgrim performs Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj), is he permitted to have marital relations during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah)?

A: A pilgrim who performed Tawaf-ul-Ifadah (final obligatory circumambulation of the Ka`bah in Hajj) is allowed to have conjugal intercourse on the condition that he has already performed the other required rituals, such as throwing the pebbles at Jamrat-ul-`Aqabah (the closest pebble-throwing area to Makkah), and shaving or shortening his hair. This is a prerequisite for a pilgrim to be allowed to have conjugal intercourse. Performing Tawaf (circumambulation of the Ka`bah) alone is not sufficient. Rather, it is conditioned that a pilgrim should throw the pebbles on the `Eid day, shave or shorten his hair, and perform Tawaf and Sa`y (going between Safa and Marwah during Hajj) if he still has to perform Sa`y. Without performing these rituals, a pilgrim is not allowed to do so. Yet if he performs two out of the three rituals, such as throwing the pebbles and shaving or shortening his hair, he is allowed to wear Makhit (clothes sewn to fit body limbs), apply perfume, etc., but conjugal intercourse remains prohibited.

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The same applies when he throws the pebbles and performs Tawaf, or performs Tawaf and shaves his hair, he is allowed to apply perfume, wear Makhit, hunt game, clip his nails, and suchlike. Yet he is allowed to be intimate with his wife only after fulfilling all the three rituals: throwing the pebbles at Jamrat-ul-`Aqabah, shaving or shortening his hair, and performing Tawaf-ul-Ifadah and Sa`y, if he still has to perform Sa`y, such as the case of the pilgrim performing Tamattu` Hajj (`Umrah during the months of Hajj followed by Hajj in the same year with a break in between). After doing so he is permitted to have conjugal intercourse. And Allah knows best.

Chapter on the description of Hajj and `Umrah

(8) Spending the night in Mina during the days of Tashriq

204- Ruling on spending the night outside Mina during the Days of Tashriq

Q : What is the ruling on spending the night outside Mina during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), whether it is intended or due to not finding a place there to stay?

A: Spending the night in Mina on the night of the eleventh and the twelfth (of Dhul-Hijjah) is Wajib (obligatory) according to the most authentic view. This is the preponderant opinion of the verifying scholars. Further, it is obligatory for both men and women. If they do not find a place there to stay, the obligation to do this becomes waived for them. But, if a person abandons it without an excuse, they should offer a sacrifice.

205- Ruling on not spending the night in Mina for two or three days

Q: What is the ruling on a person who does not spend the night in Mina on the 10th, 11th, 12th or 11th and 12th for those who hasten to leave; should they offer a sacrifice for every day they missed in Mina or does he have to offer only one sacrifice for the whole three days in which he missed in Mina. Could you explain and mention the proof?

A: Whoever does not spend the night in Mina during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) without excuse, has abandoned a rite which the Prophet (peace be upon him) prescribed by sayings and actions; which is additionally supported by the concessions which he (peace be upon him) gave to the people having excuses such as shepherds and people providing water to pilgrims. Rukhsah (concession) can only be granted in connection with matters where there is Azimah (obligation); therefore, spending the night in Mina during the days of Tashriq is considered one of the obligations of Hajj according to the more correct of the two opinions of the scholars. Whoever abandons it without a Shar'y (Islamic legal) excuse, has to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah) because it was reported that Ibn 'Abbas (may Allah be pleased with them both) said: ﴾Anyone who misses or forgets to perform any ritual (during Hajj), should slaughter a sacrificial animal.﴿ It is sufficient to offer one sacrifice for not staying overnight in Mina during the days of Tashriq. May Allah grant us success!

Q: What is the ruling if a pilgrim is not able to spend the night in Mina during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) ?

A: There is no sin upon them, for Allah (Glorified and Exalted be He) says: (So keep your duty to Allâh and fear Him as much as you can) whether this happens due to illness, lack of a place, or any other legal excuse as in the case of water carriers, shepherds, and others of similar conditions.

206- Ruling on leaving the staying at a night in Mina due to sickness

Q: What is the ruling on a pilgrim who does not stay overnight in Mina on the night of the Eleventh, when they are sick and could not spend the night in Mina? However, He threw the pebbles the next day after Zenith i.e. he threw the pebbles of the eleventh day along with those of the twelfth day after Zenith. Should a person offer a sacrifice for leaving the staying at the night before the eleventh day in Mina? It is noteworthy that they spent the night of the twelfth in Mina and threw the pebbles after Zenith on that day.

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Afterwards, he moved from Mina to Makkah. Please, advise and support your answer with the necessary evidence.

A: As long as a pilgrim has not stayed overnight in Mina for a legal excuse such as sickness; there is no sin upon them, for Allah (Exalted be He) says: (So keep your duty to Allâh and fear Him as much as you can) The Prophet (peace be upon him) also gave water carriers and shepherds a Rukhsah (concession) to leave staying the night at Mina for the purpose of watering and shepherding. Finally, Allah knows Best.

207-Ruling on a person who does not stay overnight in Mina for the lack of a place

Q: If a pilgrim fails to find a place to stay overnight in Mina, what should they do? Is there anything upon them for spending the night outside it ?

A: If a pilgrim does their best to seek a place where they can spend the nights of Mina there but fail to find one, there is nothing upon them if they stay the night outside it, for Allah (Glorified and Exalted be He) says: (So keep your duty to Allâh and fear Him as much as you can) They are, also, not required to offer a Fidyah (ransom) for not spending the night in Mina, since they are unable to do this.

His Eminence shaykh `Abdul- `Aziz ibn Baz, may Allah grant him success.

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

May Allah grant you happiness and good health, I have a question concerning staying overnight outside Mina in Muzdalifah. What is the ruling on spending the night at that place? Is it true that the adjacency of the pilgrim camps from Mina to Muzdalifah counts whoever stays outside Mina as if they are staying inside it? Please, answer us! May Allah reward you the best!

A: Wa `alaykum as-salamu warahmatullah wabarakatuh..

Spending the night in Mina is one of the obligations of Hajj on every pilgrim who has the ability except waterers, shepherds, and whoever takes their rulings. And there is nothing upon whoever fails to do that, for Allah (Glorified be He) says: ﴾So keep your duty to Allâh and fear Him as much as you can﴿ Accordingly, it should be known that anyone who fails to find a place in Mina is permitted to stay outside it in Muzdalifah, `Aziziyyah or any other place according to the mentioned Ayah and other relevant indication with the exception of the valley of Muhassir, as people should not stay there because the Prophet (peace be upon him) hastened to leave it when he passed by it. As-salamu `alaykum warahmatullah wabarakatuh.

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Q: You know that the camps of pilgrims in Mina are under the control of Ministry of Hajj and Endowments and the principality of Makkah. These bodies are authorized with distributing the land of Mina and no camp can reject the land which is allocated for it even if it is outside Mina.

Moreover, the Ministry states that Mina falls short to contain the increasing numbers of pilgrims. They give us a piece of land outside the bounds of Mina. We tried to replace this land but we failed and accepted it unwillingly because of the different kinds of services there such as lavatories, electricity and other things that were available in this land.

What is the legal ruling on this regard? What is your advice for us? May Allah reward you the best!

A: There is neither harm nor Fidyah (ransom) on you for this. Allah (may He be Exalted and Glorified) said,

(So keep your duty to Allâh and fear Him as much as you can) The Prophet (peace be upon him) said, (When I command you to do anything, do of it as much as you possibly can.) May Allah grant us all success!

208- Ruling on staying outside Mina by day during `Eid and Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah)

Q: A person moved from `Arafat then he stoned the first Jamrah (stone pillars at which pebbles are thrown during Hajj) and he did Tawaf (circumambulation around the Ka`bah) and Sa`y (going between Safa and Marwah during Hajj and `Umrah). He then stayed in his place in Makkah until `Asr, then he went back to Mina and slaughtered his sacrificial animal. Does he have to do anything about this?

A: There is no sin on him for that. Whoever stays in Makkah during the day of `Eid or during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) in his house or with his companions, there is no sin on him for that. But it is better to stay in Mina if possible following the example of the Prophet (peace be upon him) and his Sahabah (may Allah be pleased with them). If it is not easy for him to do that and it is too difficult for him, and he enters Makkah and stays there during the day, then comes back to Mina at night, and stays there overnight, there is nothing wrong with that. As for throwing pebbles (at the stone pillars during Hajj) during the Days of Tashriq, it should be done afternoon, not before that. It is permissible to throw pebbles at the night after sunset

if the person is unable to do it afternoon. Yet, it is better to throw them before sunset.

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Chapter on the description of Hajj and `Umrah

(9) Throwing pebbles during the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah)

209 - The ruling on throwing pebbles at night

The time of throwing pebbles is during the Days of Tashriq from the decline of the sun to sunset because of the Hadith which was related by Muslim in his Sahih (book of authentic Hadiths) that Jabir (may Allah be pleased with him) said: (Allah's Messenger (peace be upon him) threw pebbles on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals(after sunrise, and after that (i.e., on the 11th, 12th and 13th of Dhu'l-Hijja) when the sun had declined.) And what Al-Bukhary related from Ibn `Umar (may Allah be pleased with them) that he asked about that, so he said: We were waiting for the chance to throw the pebbles and when the sun declined, we would throw them according to the majority of scholars. But there was no harm if we had to throw the pebbles at night but it is safer to throw the pebbles before sunset for those who are able to according to the Sunnah and to avoid disagreement. As for the authentic Hadith which was related by Al-Bukhary in

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his Sahih from Ibn `Abbas (may Allah be pleased with them) that he said: (The Messenger of Allah (peace be upon him) was asked on the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) in Mina and he said: There is no harm. A man asked him: I shaved before I slaughtered. He said: slaughter and there is no harm. He said: I threw the pebbles in the evening. He said: No harm.) So, this is not evidence on the permissibility of throwing pebbles at night because the questioner asked the Prophet (peace be upon him) on the Day of Nahr.As for his saying: "in the evening", it meant, after the decline of the Sun but we can set proof on throwing at night that the Prophet (peace be upon him) did not answer the man explicitly that it was not permissible to throw at night. So, the general rule is that it is permissible but throwing pebbles during the daylight is better and safer. When there is a need to throw at night, there is no harm to throw for that day at night. As for the future day, a person is not permitted to throw for it on the night before except for the night of Sacrifice where the weak can throw for it at the last portion of the night. As for the strong able people, it is a Sunnah to throw Jamrat Al-`Aqabah (The closest stone pillar to Makkah, also known as the Large Jamrah) after sunrise as mentioned in the above Hadiths. Allah knows best.

Q: Is it permissible for one who has no excuse to throw at the three Jamrat (stone pillars at which pebbles are thrown during Hajj) during the nights of the Days of tashriq (11th, 12th and 13th of Dhul-Hijjah)?

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A: It is permissible to throw the pebbles (at the stone pillars during Hajj) after the sun sets, according to the correct opinion of the scholars. However, it is the Sunnah (act of worship following the example of the Prophet) to throw the pebbles after noon and before the sun sets. This is preferable, if it is possible. If it is not possible, you may throw the pebbles after the sun sets, according to the correct opinion of the scholars.

The ruling on whoever does not throw pebbles on the 12th of Dhul-Hijjah and intends to leave

Q: A man performed Hajj this year and did not throw pebbles (at the stone pillars during Hajj) on the 12th of Dhul-Hijjah as he was in a hurry to leave; what should he do?

A: He has to observe Tawbah (repentance to Allah) and Istighfar (seeking forgiveness from Allah) and offer two sacrificial animals; one for abandoning the throwing and another one for abandoning Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) because it is not sufficient to perform Tawaf-ul-Wada` before throwing the pebbles. Accordingly, if he performed it before throwing, it is not to be counted and he has to offer a sacrificial animal, but if he performed it after the passage of the time of throwing, he does not have to offer a sacrificial animal for Tawaf-ul-Wada` but still has to offer one to be slaughtered for the poor in Makkah for abandoning throwing the pebbles on the 12th of Dhul-Hijjah.

211. Anyone who stays at Mina until the night of the 13th of Dhul-Hijjah should spend the night there and throw the pebbles

Q: What is the ruling on staying for two days after 'Eid-ul-Adha (the Festival of the Sacrifice) and spending the night of the third day? Is it permissible to throw pebbles (at the stone pillars during Hajj) after dawn or sunrise if hard circumstances arise?

A: Anyone who stays at Mina until the night of the 13th of Dhul-Hijjah should spend the night there and throw the pebbles after noon. It is not permissible for them to throw the pebbles before noon, as it is for the preceding two days. This is because the Messenger (peace be upon him) stayed in Mina on the 13th of Dhul-Hijjah and did not throw the pebbles until after noon, and he (peace be upon him) instructed saying, ("Take (learn) your (Hajj) rituals from me.")

The ruling on whoever could not stone the Jamarat before the sunset of the 13th of Dhul-Hijjah

Q: If a pilgrim could not stone the Jamarat (stone pillars at which pebbles are thrown during Hajj, Jamrat-ul-`Aqabah being the closest to Makkah) on the 13th of Dhul-Hijjah which is the last of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) except after the sunset; is this sufficient?

A: There is no throwing after the sun sets on the 13th of Dhul-Hijjah. If the pilgrim stayed until the 13th of Dhul-Hijjah in Mina, he should stone the Jamarat; if he did not do so until the sun set, he has to offer a sacrificial animal, for the time of throwing ends by the setting of the sun of the 13th of Dhul-Hijjah.

The ruling on throwing pebbles before noon

From `Abdul `Aziz ibn `Abdullah ibn Baz **to the honorable brother M.H.G., may Allah grant him all success! Amen.**

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

Dear brother, I have received your letter on 17 Dhul-Hijjah, 1388 A.H., in which you mentioned that you and your two wives and children performed Hajj and that on the third of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah), you threw pebbles (at the stone pillars during Hajj) on behalf of all of them before noon because you are asthmatic. You asked about whether there is a consequent Kaffarah (expiation).

Answer: It is not permissible to stone the Jamarat (stone pillars at which pebbles are thrown during Hajj, Jamrat-ul-`Aqabah being the closest to Makkah) before noon for the Prophet (peace be upon him) stoned them in the afternoon during all the Days of Tashriq and said: ﴾Take your (Hajj) rituals from me.﴿ Accordingly, you should offer a sacrificial animal on behalf of you and each

member of your family who performed Hajj with you. The sacrificial animal is either one seventh of a she-camel or cow or one goat or one sheep to be slaughtered in the Haram (all areas within the Sacred Sanctuary of Makkah) and distributed among the poor people there. If you did not assume an intention to perform Hajj on behalf of some of your children, you do not have to offer a sacrifice for them.

May Allah guide us all to useful knowledge and righteous deeds. He is the Most Generous, Most Kind. As-salamu `alaykum warahmatullah wabarakatuh!

214- The ruling on postponing throwing pebbles until the last day and throwing them all at once

Q: Is it permissible to stone the three Jamarat (stone pillars at which pebbles are thrown during Hajj, Jamrat-ul-`Aqabah being the closest to Makkah) of the three Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) on the last day all at one time? If so, how should this be done, when and for whom?

A: It is prescribed for the believer to throw the pebbles at the three Jamarat during Hajj as the Prophet (peace be upon him) did in the Farewell Hajj. You should stone Jamrat-ul-`Aqabah (the closest stone pillar to Makkah) with seven pebbles on the first day of `Eid-ul-Adha (the Festival of the Sacrifice), pronouncing Takbir (saying: "Allahu Akbar [Allah is the Greatest]") with each throw. Then on the 11th of Dhul-Hijjah, you should throw the three Jamarat after midday, each with seven pebbles, pronouncing Takbir with each throw, beginning with the one that is next to Masjid (mosque) Al-Khayf, then the middle, then Jamrat-ul-`Aqabah which is the closest to Makkah which is thrown on the first day of `Eid. Then on the 12th of Dhul-Hijjah, you should throw the three Jamarat after midday as you did on the day before. It is prescribed to pause after throwing the first one on the 11th and 12th of Dhul-Hijjah, raise your hands and supplicate, having the Jamrah to your left. Likewise, after throwing the second, you should pause, raise hands and supplicate, having it to

your right, following the example of the Prophet (peace be upon him). As for the third one which is Jamrat-ul-`Aqabah, you should not pause for supplication after throwing it. After finishing throwing the Jamrat on the 12th day, you may, if you are in a hurry, leave before sunset and head for Makkah. If you can stay in Mina, you should spend the night of the 13th day and throw the three Jamarat on that day after midday, exactly as you did on the 11th and 12th, which is better, following the example of the Prophet (peace be upon him) who did not hasten to depart. If the pilgrim is to postpone throwing the pebbles on the 11th and 12th to throw them all on the 13th day with the prescribed order after midday, this will be sufficient for him but different from the Sunnah. However, in this case, they should keep the order, beginning with throwing the three Jamarat of the 11th day successively, then the three Jamarat of the 12th day, then of the 13th day as prescribed by many of the scholars. May Allah grant us success!

Q: Your Eminence, is it permissible for a pilgrim to delay stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) of the first and second of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) until the third day ?

A: The act of Sunnah (supererogatory act of worship following the example of the Prophet) is to stone the three Jamarat on the 11th and 12th of Dhul-Hijjah by stoning seven pebble at each of the three Jamrat, pronouncing Takbir (saying: "Allahu Akbar [Allah is the Greatest]") with each throw. You should begin to stone the first of the Jamarat, which is next to Masjid (mosque) Al-Khayf, with seven pebbles, pronouncing Takbir with each throw. Then you should go forward a little, having the first of the Jamarat at your left side, and raise your hands facing the Qiblah (direction faced for Prayer towards the Ka`bah) and supplicating. Then you should stone the middle one with seven pebbles, pronouncing Takbir with each throw.

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Then you should go forward a little, having it at your right, and raise your hands facing the Qiblah and supplicating. Then you should stone the third one, which is Jamrat-ul-`Aqabah and the nearest to Makkah, with seven pebbles, pronouncing Takbir with each throw and then leave. This is the prescribed way of stoning which was practiced by the Prophet (peace be upon him). If a person delays the stoning of the three days until the third day and kept the order, beginning with the first, second then third day, this is sufficient and there is nothing against them, but they differ the Sunnah, except for those who have an excuse such as those who take care of the rides of the pilgrims and the sick people.

Q: Is it permissible for the pilgrim to stone the Jamrat (stone pillars at which pebbles are thrown during Hajj) of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) all in one day, being the first or the last of the Days of Tashriq or the Day of Nahr (Sacrifice, 10th of Dhul-Hijjah, when pilgrims slaughter their sacrificial animals) then spend the night in Mina for two or three days without throwing the pebbles at the Jamrat as they are to be thrown in one day? Or should the throwing be done in order, each day separately? Kindly point this out to us, supporting your answer with evidence.

A: Stoning the Jamrat is one of the obligations of Hajj and should be done on

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the Day of 'Eid (Day of Nahr) and the following three Days of Tashriq for those who are not in a hurry to leave Mina on the 12th of Dhul-Hijjah and the first two Days of Tashriq for those who are in a hurry. Throwing the pebbles should be done each day after midday. This is based on the action of the Prophet (peace be upon him) and his saying: (Learn your (Hajj) rituals from me) except on the day of Nahr which is all fit for throwing, though it is better to do it after sunrise, except for those who have excuses who are permitted to stone Jamrat-ul-'Aqabah on the 9th of Dhul-Hijjah after 12:00 p.m. It is not permissible to stone the Jamrat before its due time; as for delaying it, this is permissible in cases of extreme necessity such as to avoid overcrowding, according to a group of scholars on the basis of Qiyas (analogy) with those who provide water for the pilgrims whom the Prophet (peace be upon him) gave Rukhsah (concession) to stone the three Jamrat of two days on the second one of them, i.e., 12th of Dhul-Hijjah. But in such a case, the correct order is still obligatory: one must begin by stoning with the intention of performing it for `Eid day, then one stones with the intention of performing it for the first day, then for the second day, and then for the third day, if the person is not in a hurry to leave. Then Tawaf-ul-Wada' (circumambulation around the Ka'bah on leaving Makkah) is to be performed. Allah knows best.

215- The ruling on throwing pebbles without observing the order out of ignorance

Q: Last year, a man performed Hajj and in the last of the Days of Tashriq (11th, 12th and 13th of Dhul-Hijjah) he threw Al-Jamarat-ul-Kubra (Jamrat-ul-`Aqabah, the closest stone pillar to Makkah), before Al-Jamarat-ul-Sughra (the closest stone pillar to Mina); what should he do?

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A: We hope that there is no harm in this as he did so out of ignorance or forgetfulness and what is meant [throwing pebbles (at the stone pillars during Hajj), Ed.] is carried out and he just forgot or was ignorant of the order. Allah (Glorified and Exalted be He) says: ﴾Our Lord! Punish us not if we forget or fall into error﴿ It was authentically reported that the Messenger of Allah (peace be upon him) said Allah says: ﴾I did.﴿ What is meant is that Allah has accepted the Du`a' (supplication) of the believers. However, if one forgot the order and remembered before the passage of the time of throwing, they should throw the second of the Jamrat then Jamrat-ul-`Aqabah to keep the order.

216- Ruling on hitting the pillar

Q: During throwing Al-Jamarat-ul-Kubra, I threw pebbles and they hit the pillar. I did not know whether they fell inside the pit or not. What is the ruling on this act?

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A: The Hajj pilgrim should know or think that it is most likely that the pebbles landed in the pit. If he did not, he has to throw pebbles again during the fixed period for this ritual. If the time elapsed without re-throwing, he has to offer a sacrifice in Makkah and have it distributed among the poor there. By this, he takes the same ruling as the person who omits this ritual. The pebbles should land in the pit. It is not essential to hit the pillar. If he does not think it it is most likely that the pebbles landed in the pit, he has to offer a sacrifice if he did not do this ritual again. If he has the chance to repeat it within the deadline, then he may do it and no sacrifice is required.

It should be noted that the sacrifice should be slaughtered in Makkah and distributed to the poor. Together with this, he has to perform Tawbah and ask Allah's forgiveness. The ritual of throwing pebbles can not be made up for after the end of the sunset of 13th of Dhul-Hijjah.

217- Whoever neglects throwing pebbles in Hajj is required to offer a sacrificial animal

Q: The last time we offered Hajj (Pilgrimage), my wife threw the first Jamrah (stone pillars at which pebbles are thrown during Hajj) and I completed throwing on her behalf for fear of crowdedness but there was no crowdedness, is her Hajj valid in the light of what is mentioned?

A: Hajj is valid but she is required to offer a sacrificial animal for leaving throwing and it should be slaughtered in

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Makkah and given to the poor.

Moreover, it should be either one seventh of a she-camel or a she-cow, or a sheep that is sufficient in Ud-hiyah (sacrificial animal offered by non-pilgrims) i.e., a one-year-old male goat or sheep.

218. delegation in throwing the pebbles for those who have children with them

Q: I performed Hajj last year - all praise be to Allah - and I threw the pebbles (at the stone pillars during Hajj) on behalf of my wife, although she was neither pregnant nor ill, but we had our four children with us. When I saw how crowded it was, I did not think that she could throw the pebbles herself. Was it permissible for her to delegate me to throw the pebbles for her, or has she omitted an obligation? What should she do now?

A: If the situation is as you mentioned, there is nothing wrong in her delegating you to do it, because going to throw the pebbles herself with the children would have entailed great danger to her and the children.

219. Wisdom behind throwing at the Jamrat

Q: what is the wisdom behind throwing at the Jamrat (stone pillars at which pebbles are thrown during Hajj) and staying at Mina

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for three days? Would Your Eminence please clarify the wisdom behind this, and many thanks to you.

A: A Muslim should obey the Messenger (peace be upon him) and follow the Shari'ah (Islamic law), even if they do not know the wisdom behind it. Allah commands us to follow the Messenger (peace be upon him) and His Book, saying: ﴾Follow what has been sent down unto you from your Lord (the Qur'ân and Prophet Muhammad's Sunnah)﴿ He (Glorified be He) also says: ﴾And this is a blessed Book (the Qur'ân) which We have sent down, so follow it﴿ He (Glorified be He) also says: ﴾O you who believe! Obey Allâh and obey the Messenger (Muhammad صلى الله عليه وسلم)﴿ And He (Glorified and Exalted be He) says: ﴾And whatsoever the Messenger (Muhammad صلى الله عليه وسلم) gives you, take it; and whatsoever he forbids you, abstain (from it).﴿ If we know the wisdom behind this, all praise be to Allah; but if we do not, there is no harm in this. Anything that is enjoined by Allah has a wisdom behind it and anything forbidden by Allah is also due to a wisdom, whether we know it or not. It is clear that throwing at the Jamrat is done to humiliate Satan and obey Allah (Glorified and Exalted be He), whereas the wisdom behind staying at Mina is known only by Allah (Glorified and Exalted be He). It may be that staying at Mina is for occupying oneself with Dhikr (Remembrance of Allah),

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and to be prepared to throw the pebbles on time. This way people can go to throw the pebbles whenever they like during the specified time, and they avoid being late, missing the time, or being busy with something else, as may happen if they do not stay at Mina, Allah (Glorified and Exalted be He) knows best the wisdom behind this.

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220 - A call not to hasten in stoning Jamrat

His Eminence, Shaykh Abdul `Abdul-`Aziz ibn `Abdullah ibn Baz, the genreal Mufty (Islamic scholar qualified to issue legal opin Hasteions) of the kingdom, the chairman of the Grand Muslim Scholars and the General Chairman of the Department of Scholarly Research and Ifta' requested the pilgrims not to hasten in stoning the Jamrat (stone pillars at which pebbles are thrown during Hajj) and to avoid crowdedness because Muslims are brothers and sisters of each other. They should not treat each other unjustly nor harm each other.

This came in his Eminence's answer about a question "Today" in which he encouraged every Muslims to have mercy toward one another, to empathize and not to harm one another. His Eminence explained that throwing pebbles at Jamrat is one of the duties of Hajj. The Prophet (peace be upon him) said: ﴾Take your (hajj) rituals from me.﴿ And he said: It is obligatory on every pilgrim to throw the pebbles when they can unless they are incapable and old. They have to authorize someone to throw the pebbles on their behalf. Likewise, guardians throw the pebbles on behalf of their child pilgrims. It is not permissible for the believers to cause crowdedness and they should show lenience

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with one another. Each one should take it easy with his Muslim brother or sister in order not to treat them unjustly because Muslims are brothers and sisters of each other. They should not treat each other unjustly nor harm each other. If the Hajj (pilgrim) could not throw the pebbles at the beginning of the midday, they have to delay it until `Asr or the beginning of the night. Praise be to Allah, throwing extends from the breaking of the dawn until sunset. Pilgrims can throw the pebbles all day long on the 11th and 12th from the beginning of the midday until the evening.

His Eminence concluded his statement asking Allah for success and guidance for the pilgrims as well as all Muslims.

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221. meaning of the "two days" for those who are in haste

Q: Some people stay at Mina for one night; the night of the 11th of Dhul-Hijjah, and throw the pebbles (at the stone pillars during Hajj) that should be thrown on the 12th of Dhul-Hijjah on the 11th of Dhul-Hijjah. They think that they have stayed there for two days, because they count the Day of 'Eid-ul-Adha (the Festival of the Sacrifice) as one of the Days of Tashriq (11th, 12th, and 13th of Dhul-Hijjah). They thereby throw pebbles on the Day of 'Eid (Day of Sacrifice, 10th of Dhul-Hijjah), and the day after it, the 11th of Dhul-Hijjah, claiming that these are the two days referred to in the Ayah (Qur'anic verse) in which Allah (Exalted be He) says: (But whosoever hastens to leave in two days, there is no sin on him) **They, therefore, leave Mina on the 11th of Dhul-Hijjah, after having thrown the pebbles of the 12th on the 11th, but they do not stay for the 12th at Mina. Is this Shar'y (Islamically lawful)? Is it correct to count the Day of 'Eid among the two days and leave Mina on the 11th of Dhul-Hijjah? We hope that you will clarify this, mentioning the evidence.**

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A: The meaning of the "two days" after the end of which Allah (Glorified and Exalted be He) permits a person who is in haste to leave Mina, is the second and third day of 'Eid, because the first day of 'Eid is the great day of Hajj. The Days of Tashriq are the three days following the day of 'Eid, during which the Jamrat (stone pillars) are thrown at with pebbles and Allah (Glorified and Exalted be He) is remembered. If someone is in a hurry to leave, they can do so before sunset of the 12th of Dhul-Hijjah. If sun sets on anyone while they are still at Mina, they have to spend the night there and throw the pebbles on the 13th of Dhul-Hijjah. This is what the Prophet (peace be upon him) and his Sahabah (Companions) did. If anyone leaves on the 11th, they have omitted the obligation on them of throwing the pebbles, so they have to offer Dam (atonement required of a pilgrim for a willful violation of a prohibition or obligation while in the ritual state for Hajj and 'Umrah). The Dam is to be slaughtered in Makkah and the meat distributed among the poor. Anyone who does not spend the night of the 12th in Mina has to give what they can of Sadaqah (voluntary charity) to expiate for this, and perform Tawbah (repentance to Allah) and Istighfar (seeking forgiveness from Allah) for their omission and hastening to leave before the due time. If they pay a Fidyah (ransom), this will be even better to avoid the difference of opinion among the scholars, as some scholars say that if a person leaves on either the 11th or the 12th with no Shar'y (Islamically lawful) excuse, they have to offer Dam.

222- Time of departing from Mina

Q: When should a pilgrim leave Mina?

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A: A pilgrim can start moving forth from Mina after they throw the Jamarat (stone pillars at which pebbles are thrown during Hajj, Jamrat Al-`Aqabah being the closest to Makkah) on the twelfth day in the afternoon. Only then they are permitted to leave Mina.

If they throw the Jamarat on the thirteenth day in the afternoon, this is better.

Q: Some people, after throwing the pebbles on 12th of Dhul-Hijjah, intended to leave Mina. Yet, they were unable to go out until a short time after sunset due to the crowd. Are they required to stay the night at Mina to throw the pebbles on the following day?

A: If the sun set while they were departing, they do not have to stay the night at Mina, because they are included among those who depart before sunset. On the other hand, if the sun set before their departure, they have to stay the night before 13th of Dhul-Hijjah at Mina and throw the pebbles in the afternoon of 13th of Dhul-Hijjah. Afterwards, they can leave at any time they wish as the obligatory throwing ended on this day. There is no harm if they stay the night at Mina or Makkah and after

13th of Dhul-Hijjah they are relieved from the obligation of throwing whether they stay the night at Makkah or Mina. I ask Allah (Exalted be He) to guide you and us to understand the religion and to be steadfast for He is the Most Generous. As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you.)

Chapter on the description of Hajj and `Umrah

(10) Tawaf-ul-Wada`

232- Ruling on Tawaf-ul-Wada`

Q: Is Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) Wajib (obligatory) for anyone who wants to depart from Makkah Al-Mukarramah (Makkah, the Honored)? Or is it Mustahab (desirable) or a Sunnah (supererogatory act of worship following the example of the Prophet)?

A: The obligation of Tawaf-ul-Wada` is a controversial matter among scholars, but the correct opinion is that it is Wajib in Hajj and Mustahab in `Umrah; for the Prophet (peace be upon him) told the people during the Farewell Hajj: (None should leave (i.e. Makkah) until the last thing they do is to circumambulate the House (i.e. the Ka`bah).) (Related by Muslim) Also, it was related in the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim) on the authority of Ibn `Abbas (may Allah be pleased with both of them) that he said: (People were commanded that the last thing they should do was to circumambulate the Ka`bah, but

menstruating women were exempted from that.) Accordingly, the ruling on Tawaf-ul-Wada` becomes known from these two Hadiths about Hajj, since `Umrah resembles Hajj; for it is lesser pilgrimage. Menstruating women and those in post-partum period are not obliged to offer it, as they both have the same ruling. May Allah grant us success!

224 - Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) is special for someone who is traveling to his family

Q: When a pilgrim performs `Umrah (the lesser pilgrimage) and goes out after that to visit his relatives outside the Sacred Sites, should he perform Tawaf-ul-Wada`?

A: When a person who performs `Umrah or Hajj wants to leave and go beyond the Sacred Sites of Makkah, he is not required to perform Tawaf-ul-Wada` but when he wants to travel to his family or others, he may perform Tawaf-ul-Wada`. However, it is just recommended as there is no proof that it is obligatory. The Companions of the Prophet (peace be upon him), who completed their `Umrah, headed for Mina and `Arafat and were not commanded to perform Tawaf-ul-Wada`.

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As for the one who performs Hajj, he has to perform Tawaf Al-Wada` when leaving Makkh to his family or others because of the saying of Ibn `Abbas (may Allah be pleased with them): ﴾The people were ordered to perform the Tawaf (Tawaf-ul-Wada`) as the last thing before leaving (Makkah), except for the menstruating women who were excused.﴿ (Agreed-upon by Al-Bukhari and Muslim). His saying, "The people were ordered" means that the Prophet (peace be upon him) commanded the people to do this. It is reported in another narration from Ibn `Abbas (may Allah be pleased with them) that the Prophet (peace be upon him) said, ﴾No one should leave (Makkah) until the last thing he does is to circumambulate the House.﴿ (Related by Muslim). From this Hadith, we know that menstruating women should not perform Tawaf-ul-Wada` neither in Hajj or `Umrah. Likewise, a woman who has just given birth because she takes the same ruling according to scholars.

Q: I am a resident and working in Riyadh. I used to go to Makkah every year with my family. Allah willed that I offer Hajj (Pilgrimage) alone and I sent my wife and sons to her family's house in Jeddah. I completed my Hajj performing Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj) and Sa`y (going between Safa and Marwah during Hajj and `Umrah) and went to Makkah. Is it permissible for me then to leave to Jeddah

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without offering Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) in order to get my wife and return to Makkah and remain therein till we leave to Riyadh where I live and work?

A: It is permissible for you to go to Jeddah and bring your family to Makkah before offering Tawaf-ul-Ifadah and Sa`y during the days of Mina. You are not allowed to offer Tawaf-ul-Wada` unless you have thrown Jamrat (stone pillars at which pebbles are thrown during Hajj) on the twelfth day in the afternoon. Therefore, if you want leave to Jeddah or elsewhere, you should offer Tawaf-ul-Wada` if you have offered Tawaf-ul-Ifadah and Sa`y.

However, if you did not offer them, there is no harm on you to go Jeddah and bring your wife to Makkah. In this case, you will not offer Tawaf-ul-Wada`, because you did not yet complete your Hajj. The time of Tawaf-ul-Wada` is after completing all of the Hajj rituals when a pilgrim wants to leave to their country or elsewhere. The Prophet (peace be upon him) said, ﴾No one should leave (Makkah) unless the last thing (he does) is circumambulating the House.﴿ (Narrated by Muslim in his Sahih) Also, Ibn `Abbas (may Allah be pleased with both of them) said, ﴾The people were ordered to (perform the Tawaf of) the House (Tawaf-ul-Wada`) as the last thing before leaving (Makkah), except for

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menstruating women who were excused.﴿ (Agreed upon by Imams Al-Bukhari and Muslim) A woman experiencing post-childbirth bleeding takes the same ruling as menustrating woman and is not asked to perform Tawaf-ul-Wada`.

Q: Is it obligatory for the people of Makkah to offer Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) besides Tawaf-ul-Ifadah (final obligatory circumambulation around the Ka`bah in Hajj)?

A: It is not obligatory for the people of Makkah to offer Tawaf-ul-Wada`.

325- Whoever leaves out Tawaf-ul-Wada`

has to offer sacrifice and to observe Tawbah and Istighfar

Q: What is the ruling on the one who leaves out Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah)? Is it permissible for a pilgrim to depute someone to offer it on their behalf?

A: Whoever leaves out Tawaf-ul-Wada` should observe Tawbah (repentance) and Istighfar (seeking forgiveness from Allah). They also have to offer a sacrifice that is to be slaughtered in Makkah Al-Mukarramah and given to the poor there, besides observing Tawbah and

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Istighfar as is previously mentioned. Moreover, it is not permissible for a pilgrim to depute anyone to do this on behalf of them; rather, they should offer Tawaf themselves.

Q: Seven years ago, we performed Hajj, during which we left out Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah) and returned to Jeddah; is our Hajj valid, and what should we do?

A: Your Hajj (pilgrimage) is valid, but you have done wrong when you left out Tawa-ul-Wada` because the Messenger (peace be upon him) instructed the pilgrims to do it when he said: (No one should leave (Makkah) until the last thing he does is to circumambulate the House.) This is a general speech to the pilgrims that includes the people of Jeddah and those of other territories. It is, thus, obligatory for all people whether in Jeddah or Al-Ta'if or in any other place to bid farewell to the House. Some scholars showed lenience in this matter for the people who reside at a distance less than that of shortening Salah (prayer), such as the people of Bahrah and the like. They said farewell (Tawaf) is not obligatory for them, but it is safer for those who live outside the Haram (the Sacred sites) to bid farewell it when they finish Hajj. The people of Jeddah are at a far distance and thus are the people of Al-Ta'if; so it is obligatory for them to bid farewell before they leave as they are included in the Hadith. Accordingly, they have to offer sacrifice, i.e. an ewe (offered by one) or a cow or camel shared by seven to be slaughtered in Makkah and distributed to the poor for each one who left out Tawaf-ul-Wada`.

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Q: Is it permissible for a pilgrim to travel to Jeddah without performing Tawaf-ul-Wada`? What should the one who has done that do?

A: It is not permissible for pilgrims to leave Makkah after Hajj until they have done Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah), because the Prophet (peace be upon him) said: (No one among you should leave (Makkah) until the last thing he does is to circumambulate the House.) Narrated by Imam Muslim. In the Two Sahih (authentic) Books of Hadith (i.e. Al-Bukhari and Muslim), it is narrated that Ibn `Abbas (may Allah be pleased with them both) said: (People were ordered to perform the Tawaf of the Ka`ba (Tawaf-ul-Wada`) as the lastl thing, before leaving (Makkah), except for menstruating women, who were excused.) Thus, it is not permissible either for the people of Jeddah or for the people of Al-Ta'if or for any other people to leave Makkah after Hajj without having performed Tawaf-ul-Wada`. So, whoever travels before doing Tawaf-ul-Wada` has to offer a compensatory sacrifice for having omitted an obligatory ritual. Though there are other views concerning that matter, this is the correct view according to scholars. Some scholars, however, said that if the pilgrim goes back with the intention of performing Tawaf-ul-Wada`, that would be sufficient and he does not have to offer sacrifice. Yet, this is a debatable issue. It is thus more judicious

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that believer who travels a distance equal to that of shortening prayer without performing Tawaf-ul-Wada` should offer a sacrifice to make up for this defect in his Hajj.

Q: Is it permissible for a pilgrim, upon completing Hajj, to travel to Jeddah without performing Tawaf-ul-Wada`? What is the ruling on the one who has done that?

A: Leaving after Hajj for Jeddah without performing Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah) requires a more detailed explanation: As for pilgrims from Jeddah, they are in no way permitted to leave Makkah after Hajj until they have performed Tawaf-ul-Wada`. This is based on the general indication of the authentic Hadith wherein the Prophet (peace be upon him) said: (No one of you should leave (Makkah) until the last thing he does is to circumambulate the House.) Narrated by Imam Muslim. It is also stated by Ibn `Abbas (may Allah be pleased with both of them): (The people were ordered to perform the Tawaf of the Ka`ba (Tawaf-ul-Wada`) as the last thing, before leaving (Makkah), except for menstruating women, who were excused.) Agreed upon (by Al-Bukhari and Muslim). As for the pilgrims who leave for Jeddah due to a certain need with the intention of returning to Makkah, being their place of residence during the days of Hajj, then this requires a more detailed explanation and it is debatable. Yet, the preponderant opinion is that they should not leave Makkah until they have done Tawaf-ul-Wada` based on the general meaning of the Hadith

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quoted above. However, this Tawaf-ul-Wada` would be sufficient for them in case they intend to leave for it again, since they would have already performed the ordained Tawaf-ul-Wada`. Yet, if they want to leave for their countries, it is more precautionary for them to perform Tawaf-ul-Wada` again because it is doubted whether or not the first Tawaf-ul-Wada` suffices them. As for the ruling regarding pilgrims who neglect Tawaf-ul-Wada`, it requires a more detailed explanation: If they fall under the first category, then the preponderant opinion is that they have to offer a compensatory sacrifice for having neglected an obligatory ritual. It is stated by Ibn `Abbas (may Allah be pleased with both of them): If someone neglects any of the rituals or forgets it, they must slaughter an animal. This Athar (narration from the Companions) represented the grounds for those who opined that it is obligatory to offer a compensatory sacrifice for neglecting any of the obligatory rituals of Hajj. Such is an authentic narration, knowing that it was related as Marfu` (narrated from the Prophet with a connected or disconnected chain of narration) from the Prophet (peace be upon him) and as Mawquf (words or deeds narrated from a Companion of the Prophet that are not attributed to the Prophet). However, the preponderant opinion is that this narration is Mawquf. Yet, I opine that it is nearer to a Marfu` Hadith since it is unlikely that such a judgment was given by Ibn `Abbas as a personal point of view. Allah (may He be Praised) knows best! On the other hand, if the pilgrims fall under the second category, i.e. those who left for Jeddah or Al-Ta'if, or the like, being other than their homeland, due to an incidental need with the intention of returning to Makkah to perform Tawaf-ul-Wada` upon leaving for their homeland, I deem that such pilgrims do not have to offer a compensatory sacrifice. Yet, there is no harm in offering a compensatory sacrifice on their part, just to be on the safe side. And Allah knows best.

Q: We live in Jeddah, and last year we went to perform Hajj. Then, we performed all the rituals of Hajj except for Tawaf-ul-Wada`, which we postponed

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to the end of Dhul-Hijjah, and returned only after the crowding eased. Is our Hajj valid?

A: If someone performs Hajj (Pilgrimage) and postpones Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah) till a later time, their Hajj is valid and they have to perform Tawaf-ul-Wada` when leaving Makkah. However, if the pilgrim is not from Makkah, such as the people of Jeddah, Al-Ta'if, Al-Madinah, and suchlike, then they are not permitted to leave Makkah after Hajj until they have done Tawaf-ul-Wada`, i.e. performing seven rounds only around Al-Ka`bah without having to perform Sa`y (going between Safa and Marwah during Hajj and `Umrah) because Tawaf-ul-Wada` does not include Sa`y. Yet, if a pilgrim leaves Makkah without performing Tawaf-ul-Wada`, then they have to offer a compensatory sacrifice, according to the majority of Muslim Scholars. Such a sacrifice is to be slaughtered in Makkah and distributed among the poor and the needy. Hence, their Hajj is valid, as mentioned earlier. This is the opinion of the majority of Muslim Scholars. In conclusion, Tawaf-ul-Wada` is an obligatory ritual according to the most sound opinions of religious scholars, knowing that it was authentically reported from Ibn `Abbas (may Allah be pleased with them both) that he said: If someone neglects any of the rituals or forgets it, they must slaughter an animal. With this ritual being deliberately neglected by a pilgrim, then they must slaughter an animal in Makkah and distribute it among the poor and the needy. However, the fact that they would return back to Makkah does not exempt them from slaughtering an animal. This is the chosen opinion and it is what I deem the preponderant viewpoint. And Allah knows best.

226- The ruling on those travel without completing Tawaf-ul-Wada`

Q: An old woman made only three rounds of Tawaf-ul-Wada`. She did not complete Tawaf because of being tired, because of the overcrowding and because only a short time remained before her (return) plane trip. What does she have to do? May Allah reward you the best.

A: Every Muslim who performs Hajj or `Umrah (lesser pilgrimage) has to perform the obligatory Tawaf (circumambulation of the Ka`bah) even while being carried or in a wheelchair. No one is permitted to abandon Tawaf or any part of it. The same applies to Sa`y (going between Safa and Marwah during Hajj and `Umrah). As a proof of this is Allah's (Glorified and Exalted be He) saying: ﴾So keep your duty to Allâh and fear Him as much as you can﴿ Moreover, it is authentically reported on the authority of Um Salamah (may Allah be pleased with her) that when she complained to the Prophet (peace be upon him) about being unable to make Tawaf while walking due to her sickness, he (peace be upon him) advised her to make her Tawaf while riding. However, in case a man or a woman travels without concluding their Hajj with Tawaf-ul-Wada` (circumambulation around the Ka`bah on leaving Makkah), they have to make Tawbah (repentance to Allah, may He be Glorified) and to offer Fidyah (ransom), slaughtering an animal in Makkah and distributing its meat among the poor. Like Ud-hiyah (sacrificial animal offered by non-pilgrims), it is sufficient that this Fidyah be a sheep, or one seventh of a camel or a cow. May Allah grant us success.

Q: My mother performed Hajj on behalf of her father, but it was difficult for her to complete Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah) due to her sickness and to the overcrowding. Then, an ignorant person told her not to complete such Tawaf and that it was sufficient for her only to recite Surah (Qur'anic chapter) Al-Fatihah on behalf of her father. She followed such groundless opinion. Is it sufficient that I make Tawaf-ul-Wada` now on her behalf?

A: The Fatwa that was given to your mother is false and invalid, for Tawaf-ul-Wada is Wajib (obligatory) and it is not sufficient to recite Surah Al-Fatihah as a substitute for it. This Fatwa reflects crass ignorance on the part of the one who gave it. Thus, your mother has to offer Fidyah (ransom), slaughtering an animal for not performing Tawaf-ul-Wada` as this is normally required when a person abandons any of the Wajib rituals of Hajj. The sacrificed animal is to be slaughtered in Makkah and its meat should be distributed amongst the poor people as a compensation for leaving out Tawaf-ul-Wada`. Finally, it is not sufficient that you make Tawaf-ul-Wada` on behalf of her. May Allah grant us success.

227- The ruling on performing Tawaf-ul-Wada` by women who are in menstruation or postpartum periods

Q: How can women who are in menstruation or postpartum periods perform Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah)?

A: Women who are in menstruation or postpartum periods do not have to make Tawaf-ul-Wada`, since it is authentically reported that Ibn

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`Abbas (may Allah be pleased with them both) said: (People were ordered to let Tawaf-ul-Wada` be the last thing they do before leaving Al-Bayt (the House: another name for the Ka`bah), but menstruating women were excused as a means of making things easy for them.) Agreed upon (by Al-Bukhari and Muslim). Scholars stated that the same ruling applies to women who are in postpartum period.

228- Slight delay in travel after performing Tawaf-ul-Wada` is pardoned

Q: I performed Hajj last year, all praise be to Allah Alone, and though I performed Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah) one hour before Maghrib (Sunset) Prayer, I could not leave Makkah until after `Isha' (Night) Prayer, being delayed due to unintentional circumstances. Do I have to make up for this (delay)? Please give me advise, may Allah reward you the best.

A: All praise be to Allah Alone, and peace and blessings be upon His Messenger.

It is authentically reported that the Messenger of Allah (peace be upon him) said to pilgrims: (No one should leave (Makkah) until the last thing they do is

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'circumambulating' Al-Bayt (the House: another name for the Ka`bah).) Related by Muslim in his Sahih 'authentic' Book of Hadith. Moreover, it is reported that Ibn `Abbas (may Allah be pleased with them both) said: (People were ordered to let Tawaf-ul-Wada` be the last thing they do before leaving Al-Bayt, but the menstruating women were excused.) Agreed upon (by Al-Bukhari and Muslim).

Here, the phrase "People were ordered" means that the Prophet (peace be upon him) ordered them to do so. Accordingly, it is impermissible for pilgrims to leave Makkah for their homeland or for any other country before performing Tawaf-ul-Wada`. However, there is no harm if a person makes Tawaf-ul-Wada` before sunset and then remains in the Haram (all areas within the Sacred Sanctuary of Makkah) for some needs; to listen to a lecture, or to perform `Isha' (Night) Prayer. This is because remaining in the Haram for a short time after performing Tawaf-ul-Wada` is pardoned. In addition, in the Farewell Hajj, the Prophet (peace be upon him) made Tawaf-ul-Wada` towards the end of the night and later he (peace be upon him) led people in Fajr (Dawn) Prayer before he traveled (peace be upon him). Accordingly, there is no blame on you that you traveled after `Isha' Prayer, but if you stayed in Makkah for a long time, you must redo Tawaf-ul-Wada`. Anyway, there is no blame on you if you had not remade Tawaf-ul-Wada` then, because the duration,

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though somewhat lengthy, is forgiven - In sha'a-Allah (if Allah wills) - due to ignorance about the obligation of hastening to leave Makkah upon making Tawaf-ul-Wada`.

229- Permissibility of delaying return

following Tawaf-ul-Wada` until after Dhul-Hijjah

Q: I performed Hajj this year and I will stay there (in Makkah) until after Dhul-Hijjah; does this long stay after Hajj affect the validity of Tawaf-ul-Wada` (circumambulation of the Ka`bah on leaving Makkah)? May Allah reward you the best.

A: This long stay (in Makkah) after Hajj does not affect the validity of Tawaf-ul-Wada` for the Tawaf is to be performed when a pilgrim intends to leave Makkah, since the Prophet (peace be upon him) said, addressing the pilgrims during the Farewell Hajj: ﴾No one should leave (Makkah) until the last thing they do is 'circumambulate' Al-Bayt (the House: another name for the Ka`bah).﴿ Related by Muslim in his Sahih 'authentic' Hadith. Moreover, Ibn `Abbas (may Allah be pleased with them both) said: ﴾People (pilgrims)

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were ordered to let Tawaf-ul-Wada` be the last thing they do before leaving Al-Bayt, but menstruating women were excused.﴿ Agreed upon (by Al-Bukhari and Muslim). This Hadith also shows that women in menstruation or postpartum periods do not have to perform Tawaf-ul-Wada`. May Allah grant us success.

Chapter on the manner of Hajj and `Umrah

(11) The manner of visiting Al-Madinah

230- Things to be done by those visiting Al-Madinah Al-Munawwarah

Q: What should pilgrims do in Al-Madinah and what is the difference between visiting the grave of the Prophet (peace be upon him) and making Tawaf (circumambulation) around it?

A: It is a Sunnah (commendable act) for those visiting Al-Madinah to go to Al-Masjid Al-Nabawy (the Prophet's Masjid) and offer two Rak`ahs (units of Prayer) or more prayer there. In fact, it is recommended that they offer as much Salah (Prayers) as they can in this Masjid and recite Dhikr (Remembrance of Allah) and the Qur'an much. Likewise, it is commendable that pilgrims join educational circles held in Al-Masjid Al-Nabawy, observe I`tikaf (seclusion for worship in a Masjid) in it if possible, and greet the Prophet (peace be upon him) and his two Companions (i.e. Abu Bakr and

`Umar, may Allah be pleased with them both).

Such is what is enacted for those visiting Al-Madinah. Moreover, if such visitors stay in Al-Madinah for some time to perform Salah at Al-Masjid Al-Nabawy, this would be of great benefit, for the Prophet (peace be upon him)

said: (One Salah in this Masjid of mine (Al-Masjid Al-Nabawy) is better than one thousand Salah in any other Masjid except Al-Masjid Al-Haram (the Sacred Mosque in Makkah)) This Hadith, thus, shows that the reward for Salah performed in Al-Masjid Al-Nabawy is multiplied. However, some Hadiths support the widespread notion that whoever visits Al-Madinah should stay there for eight days in order to pray forty Salahs (in Al-Masjid Al-Nabawy), such as the Hadith that reads: (Verily those who perform forty prayers in it (i.e. the Prophet's Masjid), clearance from Hellfire and from hypocrisy will be recorded for them) Yet, verifying scholars are of the view that this Hadith is Da`if (weak) and thus it can not stand as a valid proof. This Hadith is narrated by only one narrator who is not known to be knowledgeable of Hadith and its narration, though he was declared Thiqah (trustworthy) by someone whose Tawthiq (authentication) is acknowledged only when corroborated by Tawthiq given by other scholars. Hence, such Hadith on the virtue of performing forty prayers in Al-Masjid Al-Nabawy is Da`if and thus it cannot be introduced as a valid proof. Besides, there is no time limit for the visit. So, there is no harm if a person may visit Al-Madinah for one or two hours, or for one or two days, and so on.

In addition, it is Mustahab (desirable) for whoever visits Al-Madinah to visit Al-Baqi` (the graveyard of Madinah, near the Prophet's Masjid), greet the people buried there, especially the martyrs among them, and make Du`a' (supplication) that Allah may forgive them and be merciful with them. It is also Mustahab that visitors make Wudu' (ablution) perfectly at home

and then visit the Masjid of Quba' and pray two Rak`ahs therein, as this was the practice of the Prophet (peace be upon him). However, making Tawaf around the Prophet's Minbar (pulpit) is impermissible. For, making Tawaf around the Prophet's Minbar with the intention of drawing close to the Prophet (peace be upon him) is an act of Shirk (associating others with Allah in worship). This is because Tawaf is an act of `Ibadah (worship) that is to be done around Al-Ka`bah and that is not to be offered except for the Sake of Allah Alone. In addition, whoever makes Tawaf around the grave of the Prophet (peace be upon him) or that of any other person with the aim of drawing close to them is a Mushrik (one who associates others with Allah in worship). Again, making Tawaf around the grave of the Prophet (peace be upon him), believing that doing so is an act of obedience to Allah that draws its doer close to Him, is a Bid`ah (innovation in religion). The same ruling applies to making Tawaf around the grave of other than the Prophet (peace be upon him), such as the grave of Al-Husayn, or Al-Badawy in Egypt, or that of Ibn `Araby in the Levant (the region covering Syria, Lebanon, Jordan, and Palestine), or that of Shaykh `Abdul-Qadir Al-Jilany, or Musa Al-Kazhim in Iraq, and so on.

Finally, we have to differentiate between visiting the dead and worshiping Allah Alone. Allah is to be worshiped Alone, while the dead are to be visited as a means of remembering the hereafter, learning austerity, and making Du`a' and invoking Allah's mercy for them. As for worshiping the dead, making Du`a' to them other than Allah, seeking their help, and so on, are all impermissible, Haram (prohibited), and considered as acts of Shirk. I ask Allah (Exalted be He) to protect us and all the Muslims from this. May peace and blessings be upon our Prophet Muhammad, his family, and his Companions.

231- The manner of greeting the Messenger of Allah (peace be upon him)

Q: What is the ruling on greeting the Messenger of Allah (peace be upon him) by visitors of Al-Masjid Al-Nabawy (the Prophet's Masjid in Al-Madinah)? Also, is there any specific manner regarding greeting the Prophet (peace be upon him) in front of his grave and turning one's back to Qiblah (direction faced for Prayer towards the Ka`bah)?

A: In the Name of Allah, all praise be to Him Alone. It is an act of the Sunnah (a commendable act) for whoever visits Al-Madinah that they visit Al-Masjid Al-Nabawy and perform Salah (Prayer) in it, or preferably in Rawdah (area between the Prophet's pulpit and grave) if possible. The visitor should then greet the Prophet (peace be upon him) and his two Sahabys (Companions, i.e. Abu Bakr and `Umar, may Allah be pleased with them both). It is a Sunnah that the person turns his face to the Prophet's (peace be upon him) grave and the graves of his two Sahabys (may Allah be pleased with them both) and says: As-salamu `alayka Ya Rasulallah warahmatullah wabarakatuh (may Allah's Peace, Mercy, and Blessings be upon you, O Messenger of Allah). It is also permissible to make Du`a' (supplication) for the Prophet (peace be upon him) saying, for example; "May Allah reward you the best for all the efforts you did for the wellbeing of your Ummah (nation), may Allah multiply your good deeds and do good to you as you did good to your Ummah. I testify that you conveyed the message, fulfilled the trust, advised the Ummah, and made Jihad (striving in the Cause of Allah) in the best manner." It is worth mentioning that there is no harm in making all the foregoing forms of Du`a' since their meaning is right. Then, a person is to greet the two Sahabys of the Prophet (may Allah be pleased with them both) and make Du`a' for them

in suitable manner.

On the other hand, if the person visiting the grave of the Prophet (peace be upon him) likes to make Du`a' for themselves, they have to move to another place, turn their face to the Qiblah, and then make Du`a', as is stated by Muslim scholars. However, it is Mustahab (desirable) that Muslims visit Al-Masjid Al-Nabawy, having intentionally headed for it from their homelands or from any other country, just as it is Mustahab for them to travel to visit Al-Masjid Al-Haram (the Sacred Masjid in Makkah) and Al-Masjid Al-Aqsa (the Aqsa Masjid in Jerusalem) if possible. This is grounded on the Hadith in which the Prophet (peace be upon him) said: ﴾Do not set out on a journey except to three Masjids: Al-Masjid Al-Haram, this Masjid of mine 'Al-Masjid Al-Nabawy', and Al-Masjid Al-Aqsa.﴿ Moreover, the Prophet (peace be upon him) said: ﴾One Salah in this Masjid of mine 'Al-Masjid Al-Nabawy' is better than one thousand Salah in any other Masjid except Al-Masjid Al-Haram and one Salah in Al-Masjid Al-Haram is better than one hundred Salah in this Masjid of mine.﴿ Accordingly, it is understood that one Salah in Al-Masjid Al-Haram is better than a hundred thousand Salah in any other Masjid, except Al-Masjid Al-Nabawy. It is also narrated from the Prophet (peace be upon him) that one Salah in Al-Masjid Al-Aqsa is better than five hundred Salah in any other Masjid, i.e. other than Al-Masjid Al-Haram and Al-Masjid Al-Nabawy. May Allah grant us success.

Q: What is the manner of visiting the grave of the Prophet (peace be upon him)?

A: A person may visit the grave of the Prophet (peace be upon him) and invoke Allah's peace and blessings on him. It is a Sunnah (commendable act) that a person faces the Prophet's grave, greets the Prophet, and then greets his two Sahabys (Companions i.e. Abu Bakr and `Umar, may Allah be pleased with them both). Finally, if the person likes to make Du`a' (supplication) for themselves, they first have to go elsewhere and face Qiblah (direction faced for Prayer towards the Ka`bah).

Q: If a person travels to Al-Madinah Al-Munawwarah, should they greet the Messenger of Allah (peace be upon him) and his two Companions (may Allah be pleased with them) or not? If one wants to greet them, what is the valid way to do so? That is should a person hasten to greet them or it is acceptable to postpones it? Should a person greet them upon entering the Masjid so that the graves be to their right-hand side? Or is alright to do this upon leaving the Masjid knowing that then the graves will be on their left-hand side? What is the Shar`y (Islamically lawful) wordings to be used in greeting them? Does this ruling equally apply for both men and women? Please advise us, may Allah reward you well.

A: The Sunnah (supererogatory act of worship following the example of the Prophet) for anyone who visits Al-Madinah Al-Munawwarah is to start with Al-Masjid Al-Nabawy (the Prophet's Mosque in Al-Madinah), where they offer two Rak`ahs (units of Prayer). It is better to do this in

Al-Rawdah (area between the Prophet's pulpit and grave) if possible; for the Prophet (peace be upon him) said: (Between my house and my pulpit there exists one of the gardens of Jannah (Paradise)) Afterwards, a person should approach the honorable grave and greet the Prophet (peace be upon him) and his two Companions; Abu Bakr and `Umar (may Allah be pleased with both of them) facing

the Qiblah (direction faced for Prayer towards the Ka`bah) and saying: "Assalamu `Alayka ya Rasulla Allah warahmatullah wabarakatuh (O Messenger of Allah, may Allah's Peace, Mercy, and Blessings be upon you!)". If a person also says: "May Allah's Peace, Mercy, and Blessings be upon you, your family and Companions, may Allah reward you well on behalf of your Ummah (nation of creed). O Allah! Give him the right of intercession and superiority and send him (on the Day of Judgement) to the best and the highest place (in Jannah) which You promised him", it is acceptable. After that, they should slightly move back to the right to greet Al-Siddiq (i.e. Abu Bakr) saying: Assalamu `Alayka ya Abu Bakr warahmatullah wabarakatuh, may Allah be pleased with you and reward you well on behalf of the Ummah of Muhammad". Then again they should move slightly back to the right to greet `Umar (may Allah be pleased with him), doing the same as they do with Al-Siddiq (may Allah be pleased with both of them). It is authentically reported that the Prophet (peace be upon him) said: ﴿No one should travel especially to visit a Masjid except three; Al-Masjid Al-Haram (the Sacred Mosque in Makkah), that Masjid of mine (the Prophet's Mosque in Madinah), and Al-Masjid Al-Aqsa (the Aqsa Mosque in Jerusalem) ﴾ It is also authentically reported that he (peace be upon him) said: ﴿One prayer in this Masjid of mine is better than one thousand prayers in any other Masjid, except Al-Masjid

Al-Haram ﴾ Agreed upon (by Al-Bukhari and Muslim). Furthermore, he (peace be upon him) said: ﴿Visit the graves for they remind you of the Hereafter﴾ The Prophet (peace be upon him) used to teach his Companions, on visiting the graves, to say: ﴿Al-salamu `alayum ahl al-diyar min al-mu'minin wal-muslimin, wa inna in sha'a Allah bikum lahiqun. Nas'al Allaha lana wa lakum Al-`Afiyah. Yarham Allah al-mustaqdimina minna wal-musta'khirin. (Peace be upon you, O inhabitants of the dwellings (i.e. the graves) amongst the believers and Muslims. If Allah wills, we shall join you soon. We ask Allah to keep us and you safe and sound. May Allah have be merciful to those who preceded us and those who will join them afterward).﴾ It is noteworthy that this visit is restricted to men. As regards women, it is not permissible for them to visit the graves, since the Prophet (peace be upon him) cursed the women who visit the graves, including his (peace be upon him) grave. However, it is permissible for both men and women to invoke much peace and blessings upon the Messenger of Allah (peace be upon him) wherever they may be, according to the general indication of Allah's (Glorified be He) Saying: ﴿Allâh sends His Salât (Graces, Honours, Blessings, Mercy) on the Prophet (Muhammad صلى الله عليه وسلم), and also His angels (ask Allâh to bless and forgive him). O you who believe! Send your Salât on (ask Allâh to bless) him (Muhammad صلى الله عليه وسلم), and (you should) greet (salute) him with the Islâmic way of greeting (salutation i.e. As-Salâmu 'Alaikum).﴾ In addition, the Prophet

(peace be upon him) said: ﴿Anyone who invokes blessings upon me once, Allah will bless them ten times﴾ The Hadiths mentioned on the virtue of the Prophet (peace be upon him) are indeed numerous. On the other hand, there is no harm on women to offer Salah (Prayer) in his (peace be upon him)Masjid or in any other Masjids, but their houses are better for them since he (peace be upon him) said: ﴿Do not forbid the female Servants of Allah from (going into) the Masjids of Allah; yet, their houses are better for them﴾ This is also more protective for them and distances them from becoming a source of Fitnah (temptation). May Allah grant us success.

232- Visiting Al-Masjid Al-Nabawy is Sunnah

Q: Some people believe that if a pilgrim is not able to visit Al-Masjid Al-Nabawy (the Prophet's Mosque in Madinah), their Hajj is incomplete. Is this true?

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A: Visiting Al-Masjid Al-Nabawy is a Sunnah (supererogatory act of worship following the example of the Prophet), not Wajib (obligatory). It is not connected with Hajj; it is a Sunnah to visit Al-Masjid Al-Nabawy at any time of the year, not only at the time of Hajj, according to the saying of the Prophet (peace be upon him): ﴿No journey should be undertaken except to three Masjids: Al-Masjid Al-Haram (the Sacred Mosque in Makkah), this Masjid of mine (the Prophet's Mosque), and Al-Masjid Al-Aqsa (the Aqsa Mosque in Jerusalem). ﴾ (Agreed upon by Al-Bukhari and Muslim) The Prophet (peace be upon him) also said: ﴿A Salah (Prayer) in my Masjid is a thousand times more superior than a Salah in any other Masjid, except Al-Masjid Al-Haram ﴾ (Agreed upon by Al-Bukhari and Muslim) If a person visits Al-Masjid Al-Nabawy, it is prescribed for them to offer two Rak'ahs (units of Prayer) in Al-Rawdah (area between the Prophet's pulpit and grave) and then greet with Salam the Prophet (peace be upon him) and his two Sahabah (Companions of the Prophet), Abu Bakr and 'Umar (may Allah be pleased with them). It is also prescribed to visit Al-Baqi' and Al-Shuhada' (martyrs) to greet the Sahabah and others who are buried there, supplicate to Allah for them and invoke Him to be merciful to them, just like the Prophet (peace be upon him) used to visit them. He taught the Sahabah to say whenever they visited the graves: ﴿Peace be upon you, inhabitants of the abodes among the Mu'mins (believers) and Muslims. In sha'a-Allah (if Allah wills),

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we will join you. We ask Allah for well-being for ourselves and for you.﴾

In another narration reported from the Prophet (peace be upon him): ﴿He used to say when he visited Al-Baqi': May Allah have mercy on those who have gone ahead of us and those who will come later on. O, Allah forgive the people of Baqi' Al-Gharqad. ﴾ It is also prescribed for those who visit Al-Masjid Al-Nabawy to visit the Majid of Quba' (a town near Madinah where the Prophet established the first mosque) and offer two Rak'ahs there, because the Prophet (peace be upon him) used to visit it and offer two Rak'ahs there on Saturdays. He (peace be upon him) said: ﴿If a person purifies themselves at home then goes to Masjid Quba' to offer Salah, they will receive a reward equal to that of performing 'Umrah (lesser pilgrimage).﴾ These are the places that should be visited in Al-Madinah Al-Munawwarah. However, regarding the Seven Masjids, Al-Qiblatayn Masjid (The Mosque of the Two Qiblahs) and other places mentioned by some people as necessary to visit, this is groundless and there is no evidence on it. A Mu'min should always follow and imitate, not innovate something new in religion. May Allah grant us success!

233- Visiting the grave of the Prophet (peace be upon him)

Q: I hope that you enlighten me regarding the authenticity of the following Hadiths?

The first Hadith: ﴾Whoever performs Hajj to the House but does not visit me (my grave) has shunned me.﴿

The second Hadith: ﴾Whoever visits my grave after I die, it is as if he had visited me when I was still alive.﴿

The third Hadith: ﴾Whoever visits my grave in **Al-Madinah** seeking Allah's Reward will be liable to my intercession on the Day of Resurrection.﴿

These Hadith are cited in some books and have triggered heated debates among people, as some people approve of them while others oppose them.

A: As for the first Hadith, it was narrated by Ibn `Ady and Al-Daraqutny on the authority of `Abdullah ibn `Umar from the Prophet (peace be upon him) in the following wording, ﴾Whoever performs Hajj to the House but does not visit me has shunned me.﴿ This Hadith is Da`if (weak); it is even judged as Hadith Mawdu` (fabricated). This is because its Sanad (chain of narrators) includes Muhammad ibn Al-Nu`man ibn Shibl Al-Bahily, who narrated it from his father. However, both narrators are very weak.

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Al-Daraqutny also stated that this Hadith is defected because its Sanad includes Ibn Al-Nu`man, not Al-Nu`man. Moreover, this Hadith was also narrated by Al-Bazzar through a Sanad including Ibrahim Al-Ghifary, who is deemed a weak narrator. Again, it was related by Al-Bayhaqy, from `Umar, who said that its Sanad is unkown.

With regard to the second Hadith, it was narrated by Al-Daraqutny from a man from the family of Hatib from Hatib from the Prophet (peace be upon him) in this quoted wording through the Sanad including the anonymous narrator. Besides, it was narrated by Abu Ya`la in his Musnad, and by Ibn `Ady in his book entitled Al-Kamil through a Sanad including Hafs ibn Dawud, who is ranked as weak (narrator).

As for the third Hadith, it was narrated by Ibn Abu Al-Dunya on the authority of Anas ibn Malik (may Allah be pleased with him) from the Prophet (peace be upon him) in this quoted wording through a Sanad including Sulayman ibn Zayd Al-Ka`by whose narration is weak. It was also narrated by Abu Dawud Al-Tayalisy from `Umar ibn Al-Khattab (may Allah be pleased with him) through a Sanad including an anonymous narrator.

These and similar other Hadiths are extensively discussed by the knowledgeable scholar, Shaykh Muhammad ibn `Abdul-Hady (may Allah be merciful with him) in his book Al-Sarim Al-Munky fi Al-Rad `ala Al-Subky. Even before him, Shaykh-ul-Islam Ibn Taymiyyah (may Allah be merciful with him) did the same in his book Al-Rad `ala Al-Akhna'iy. I thus recommended you to refer to these two books for more information.

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Moreover, authentic Hadiths have been reported that urge Muslims to visit the graves in general to take lessons and invoke Allah (Exalted be He) for the dead. As to the Hadiths reported on visiting the graves, in general, or the grave of the Prophet (peace be upon him) in particular, they are all Da`if; rather it is said that they are fabricated. So, whoever wants to visit the graves or to visit the grave of the Messenger (peace be upon him) in a lawful manner to take lessons, invoke Allah for the dead, invoke peace and blessings upon the Prophet and invoke Allah's Pleasure upon the Prophet's two Companions (Abu Bakr and `Umar), his visit will be lawful and will it hopefully be rewarded so long as it is not associated with traveling solely for that purpose.

On the other hand, intentionally setting out to visit the Prophet's (peace be upon him)grave is regarded as a Bid`ah (rejected innovation in religion) which is not authentically established by any injunction or practiced by the Salaf (righteous predecessors). Rather, there are injunctions banning such an act, among which is the following one in which the Prophet (peace be upon him) said, ﴾Do not set out on a journey but to three mosques: Al-Masjid Al-Haram (the Sacred Mosque), this mosque of mine (the Prophet's Mosque), and Al-Aqsa Mosque (in Jerusalem). ﴿ (Related by Al-Bukhary and Muslim), and the Hadith that reads: ﴾Do not make my grave a place of celebration and do not make your houses graves, and invoke blessings on me, for your invocation of blessings

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reaches me wherever you may be﴿ Related by Muhammad ibn `Abdul-Wahid Al-Maqdsy (may Allah be merciful with him) in the book entitled Al-Ahadith Al-Mukhtarah. May peace and blessings be upon our Prophet, Muhammad, his family and his Companions.

Q: Is it permissible for women to visit the grave of the Prophet (peace be upon him)?

A: It is not permissible for them to do so because of the Hadiths which forbid women from visiting graves and indicate that they are cursed for doing so. It is known that there is a difference of opinion among scholars concerning women visiting the grave of the Prophet (peace be upon him), but avoiding this is safer and closer to the Sunnah. The Prophet (peace be upon him) did not exclude his grave or the grave of anyone else from the ruling; rather, he (peace be upon him) gave a general prohibition and cursed women who do so. General evidence is to be observed if there is no specific Nas (Islamic text from the Qur'an or the Sunnah) and there is no evidence that excludes the grave of the Prophet (peace be upon him) from this ruling. May Allah grant us success!

From `Abdul `Aziz ibn `Abdullah ibn Baz **to the honorable brother ..., may Allah grant him success.**

Peace, Mercy and Blessings of Allah be with you.

We have received your letter dated 3/3/1974 - may Allah guide you - and read its content. We ask Allah to bless your marriage and make it successful. In your letter, you asked us to supplicate to Allah for you at the grave of the Prophet (peace be upon him).

Please be advised that supplication at the graves is impermissible, whether the grave be that of the Prophet (peace be upon him) or anyone else. Supplications made at graves are not likely to be answered. However, it is permissible to visit the graves, greet the dead, supplicate to Allah for them, and meditate on death and the Hereafter. We would like to remind you of this issue so that you be well-informed. You can refer to the Hadiths on visiting the graves in the end of the chapter of funerals in the book entitled "Bulugh Al-Maram" in order to make sure of this. May Allah guide us and you to follow the Sunnah (whatever is reported from the Prophet), and to act according to what pleases Allah (Glorified be He) and draws us closer to His Religion. Peace, Mercy and Blessings of Allah be with you.

The ruling on tracking places where the prophets stayed or prayed to build Masjids or offer Salah there

Q: Is it better to build Masjids (Mosques) or public gardens over the places where the Prophet (peace be upon him) used to pray? Or should such places be left untouched?

A: It is not permissible for the Muslim to build Masijids or to offer Salah (Prayer) at the places where the prophets stayed or prayed, for this constitutes a means to Shirk (associating others with Allah in worship). `Umar (may Allah be pleased with him) used to forbid people from doing this. He would say to them, "It is because of their following the traces of their prophets that those peoples preceding you perished". Besides, he (may Allah be pleased with him) cut down the tree at Al-Hudaybiyyah where the Bay`ah (pledge of allegiance) was made to the Prophet (peace be upon him). When he saw some people paying frequent visits to the tree to offer Salah there, he cut it down in order to block all means to Shirk and warn all Muslims against slipping into Bid`ah (innovation in religion). His biography (may Allah be pleased with him) is best noted for employment of reason in all his actions as well as his due concern to block all means to Shirk. Therefore, the Companions (may Allah be pleased with them) did not build Masjids over the places where the Prophet (peace be upon him) was known to have trodden, like

the road leading to Makkah, Tabuk, and other roads. For, they knew that such an act is contradictory to the teachings of the Prophet (peace be upon him), and it may lead to lapsing into the sin of major Shirk. They also knew that such an act is Bid`ah, against which the Messenger of Allah (peace be upon him) had warned Muslims. It is reported by `Aishah (may Allah be pleased with her) that the Prophet (peace be upon him) said, ﴾Whoever introduces anything into this matter of ours (Islam) that is not part of it will have it rejected.﴿ Agreed upon (by Al-Bukhari and Muslim) as being reported from `Aishah (may Allah be pleased with her). He (peace be upon him) also said, ﴾Whoever does an action which is not in accordance with this matter of ours (Islam) will have it rejected.﴿ Related by Muslim in his Sahih (authentic) Book of Hadith. The Prophet (peace be upon him) used to frequently repeat the following words in his Friday Khutbah (sermon): ﴾The best of speech is embodied in the Book of Allah and the best of all guidance is the guidance brought by Muhammad. The most evil of all affairs are newly-invented matters (in religion); and every newly-invented matter is misguidance.﴿ Related by Muslim in his Sahih (authentic) Book of Hadith. There are many other Hadiths narrated to that effect.

Allah Alone is the One Whose help is sought. There is neither might nor power except with Allah.

From `Abdul-`Aziz ibn `Abdullah ibn Baz to the honorable lady ..., May Allah protect her!

As-salamu `alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you)

I have received your letter, dated 16/12/1391 A.H., and looked into the questions included; and here I provide the answer:

First: Regarding the Hajj which you performed with your uncle, it is valid because the uncle is a legal Mahram (unmarriageable relative). May Allah accept your pilgrimage and reward you.

As for the Miqat (site for entering the ritual state for Hajj and `Umrah) of those who are coming from Africa, it is Al-Juhfah or the cities that are in line with it by land, sea, or air. However, if pilgrims are coming from Al-Madinah, they should enter the state of Ihram at the Miqat of the people of Al-Madinah. It is permissible for those whose due Miqat is the city of Al-Juhfah to assume Ihram at Rabigh, since the vestiges of Al-Juhfah were destroyed, and thus it is now replaced by Rabigh.

The Masjids (Mosques) which are in Al-Madinah were built in the modern ages, except for Al-Masjid Al-Nabawy (the Prophet's Mosque in Al-Madinah) and Masjid Quba'. All the Masjids in Al-Madinah have the same attributes, except for those two Masjids.

Thus, whenever Salah (Prayer) is due, a person - when near to or in it - should offer Salah there along with the present congregation. Yet, no one should set on a journey to offer Salah and Du`a' (supplications) or the like in any of these Masjids deeming that they have a specific attribute as it is impermissible. This is a baseless Bid`ah (innovation in religion) that should be denounced, for the Prophet (peace be upon him) said, ﴾Whoever does an action which is not in accordance with this matter of ours (Islam) will have it rejected.﴿ Related by Muslim in his Sahih (authentic) Book of Hadith on the authority of `Aishah (may Allah be pleased with her). We have sent you some books that are distributed by the university upon your request. May Allah make them useful to you. As-salamu `alaykum warahmatullah wabarakatuh.

A chapter on the prescribed manner of performing Hajj and `Umrah

(12) The prescribed manner for `Umrah

235- The rites of `Umrah (Lesser Pilgrimage)

Praise is due to Allah Alone. The following is a brief description of the rites of `Umrah:

1- The person intending to offer `Umrah is recommended to have a bath when he reaches the Miqat (site for entering the ritual state for Hajj and `Umrah) and clean himself well. This applies to a woman as well even if she is in menstruation or puerperuim periods; though she is not then permitted to perform Tawaf (circumambulation of the Ka`bah) till her period ends and she takes a bath after that.

A man should apply perfume to his body; not to his Ihram garment (clothing worn during the ritual state for Hajj and `Umrah). However, there is no harm if a person does not have a bath in the Miqat due to inability to do so there, but it is recommended, if possible, to have a bath upon reaching Makkah and before offering Tawaf.

2- A man takes off all his sewn clothes and wears white and neat Izar (garment worn below the waist) and Rida' (garment worn around the upper part of the body), while a woman

assumes Ihram (ritual state for Hajj and `Umrah) while wearing her ordinary clothes that should be neither embroidered nor alluring.

3- Then, one makes the intention to start `Umrah and says, "Allahomma (O Allah) (Labayk [Here I am! At your service for offering] `Umrah)". Besides, if someone fears that they may not be able to perform `Umrah due to some illness or to fear from an enemy or the like, they are allowed to say as a stipulation, "If anything holds me from that, I will end my Ihram," drawing on the Hadith narrated on the authority of Duba`ah bint Al-Zubayr (may Allah be pleased with her). They should say the Talbiyah which the Prophet (peace be upon him) used to recite, namely, "Labbayka Allahummah Labbayk, Labbayka La Sharika Laka Labbayk, Inna Al-Hamda Wa-al-Ni`mata Laka Wa-al-Mulk, La Sharika Lak (Here I am at Your service, O Allah, Here I am. Here I am at Your service, You have no partner, Here I am. Yours alone is all praise and all bounty, and Yours alone is the Sovereignty. You have no partner)". It should be said frequently along with Dhikr (Remembrance of Allah; may He be Glorified) and supplication till one reaches the House, Al-Ka`bah.

4- The person performing `Umrah, when arriving at Al-Masjid Al-Haram (the Sacred Mosque in Makkah), should put forward the right foot and say, "In the Name of Allah, and peace and blessings be upon the Messenger of Allah. I seek refuge with Allah, the Almighty, by His Noble Face and His

Most Ancient Sovereignty and Authority, against the accursed Satan. O Allah! Open the gates of Your Mercy for me."

5- Then, upon reaching the House (Ka`bah), one should stop recital of Talbiyah and should proceed to Al-Hajar Al-Aswad (the Black Stone in a corner of the Ka`bah).

Thereon, one should face it, touch it with ones right hand and kiss it, if possible; though one should not hustle other people or cause harm to them in his way to it. It is also an act of Sunnah to say upon facing Al-Hajar Al-Aswad, "In the name of Allah and Allah is the Greatest". If they could not kiss it, it just suffices to touch it with the hands, a stick or the like and then kiss that with which the Al-Hajar Al-Aswad is touched. Yet, if it is not possible to do so, they can point to it and say "Allah is the Greatest", but should not kiss that with which they point to it. Moreover, it is a prescribed condition for the validity of Tawaf (circumambulation of the Ka`bah) to be ritually pure from major and minor ritual impurities, since Tawaf is counted as prayer but; yet, it is permitted to speak to others during performance of it.

6- One should carry out seven rounds of Tawaf, making the House to their left side, and when getting opposite to the Yemeni Corner (southern corner of the Ka`bah facing Yemen), they should touch it with their hand, and say, "In the Name of Allah and Allah is the Greatest," and should not kiss it. If a person cannot touch it, they should complete Tawaf without pointing to it or saying Takbir (Allah is the Greatest), for it was not reported that the Prophet (peace be upon him) did so. On the other hand, when facing the Black Stone, a person should touch and kiss it in the manner just illustrated, and if this is unattainable, one should point to it and say Takbir. Moreover, it is recommended for men in particular to observe Ramal, i.e. to hasten in walking and to tread in short steps, in the first three rounds of Tawaf-ul-Qudum (circumambulation of the Ka`bah on arrival in Makkah), and Idtiba` which means that a man places the middle part of his Rida' under his right shoulder and to put the two ends of Rida' on his left shoulder. Anyhow, it is an act of Sunnah to recite Dhikr and supplication frequently during all rounds of Tawaf. In Tawaf, however, no

special supplication or Dhikr is recommended to be recited; rather, a person is recommended to say the supplications they know and - when they are between the two corners of Ka`bah - to say, ﴾Our Lord! Give us in this world that which is good and in the Hereafter that which is good, and save us from the torment of the Fire!﴿ in every round of Tawaf, as it was authentically reported from the Prophet (peace be upon him). One should then end the seventh round with touching Al-Hajar Al-Aswad and kissing it if possible. Otherwise, it suffices to point to it and say Takbir, as mentioned previously. After finishing Tawaf, a person should put his Rida' on his shoulders and let the ends of it droop on his chest.

7- Afterwards, one should offer two Raka`ahs (units of Prayer) behind Maqam Ibrahim (the Station of Ibrahim), if possible. Otherwise, it is allowable to offer them anywhere at Al-Masjid Al-Haram, and it is better, following recital of Surat Al-Fatihah in the first Raka`ah, to recite the Surah (Chapter from the Qur'an) that begins with ﴾Say: (O Muhammad صلى الله عليه وسلم to these Mushrikûn and Kâfirûn): "O Al-Kafirûn (disbelievers in Allâh, in His Oneness, in His Angels, in His Books, in His Messengers, in the Day of Resurrection, and in Al-Qadar)!﴿ and, following recital of Surat Al-Fatihah in the second Raka`ah, to recite the Surah that begins with﴾ Say (O Muhammad صلى الله عليه وسلم): "He is Allâh, (the) One.﴿ Yet, there is no harm if one recite other Surahs. Then, after completing the two Raka`ahs, one should touch Al-Hajar Al-Aswad if possible.

8- Then, one is to go to Al-Safa, and ascend or stand by it, knowing that it is better to ascend it, if

possible, and recite Allah's (Exalted be He) Saying, ﴾Verily, As-Safâ and Al-Marwah (two mountains in Makkah) are of the Symbols of Allâh.﴿ In addition, it is preferable to direct ones face towards the Qiblah (direction faced for Prayer towards the Ka`bah), and praise Allah and say, "'There is none worthy of worship but Allah, Allah is the Greatest. There is none worthy of worship but Allah Alone, with no

partner or associate; His is the Dominion, all praise is due to Him, and He is Able to do all things. There is no god but Allah Alone; He fulfilled His promise, granted victory to His slave, and defeated the Confederates Alone)". Then, one can recite other supplications as much as they can while raising their hands, knowing that it is recommended to repeat such supplications and Dhikr three times. After that, one should descend and walk to Al-Marwah till they arrive at the first banner, and then they should trot till they reach the second banner.

A woman, however, is not allowed to hasten in walking, since parts of her body may be exposed during trotting (knowing that this is forbidden). Then, one should walk to and ascend Al-Marwah or stand by it (its versant), though the former is better, if possible, and should do and say at al-Marwah exactly that which they do and say at Al-Safa. Then, one descends and walks calmly where they are required to do so and should hasten where hastening is required till they reach Al-Safa, and they should do that seven times; counting going to Al-Safa as one round and returning to Al-Marwah another round. There is no harm in performing Sa`y (going between Al-Safa and Al-Marwah during Hajj and `Umrah) while riding, especially if there be a need for riding. It is also recommended to say Dhikr and supplication while making Sa`y and to be ritually free from minor and major ritual impurity. However, if one performs Sa`y while he is not ritually pure, there is no harm.

9- After completing Sa`y, a man should shave off his head or shorten his hair, knowing that the former is better. If, however, the time of coming to Makkah is close to the time of Hajj (Pilgrimage), it is better in this case to shorten ones hair so that one could shave it off during Hajj. The woman, on the other hand, is required to gather her hair and cut from it a part equal to the size of a fingertip or lesser. If the Muhrim (pilgrim in the ritual state for Hajj and `Umrah) performs all that which is mentioned, their `Umrah is then fulfilled - praise is due to Allah - and then everything forbidden to them

due to Ihram becomes lawful.

May Allah grant us and all Muslims understanding of His Religion and adherence to it. May Allah accept such rituals from us all, for He (may He be Glorified)is the Most Bounteous, the Most Generous.

May Allah's Peace and Blessings be upon His Slave and Messenger, our Prophet Muhammad, his family and Companions and those who uprightly follow him till the Day of Judgment.

`Abdul `Aziz ibn `Abdullah ibn Baz

General Mufti of the Kingdom of Saudi Arabia

and Chairman of Council of Senior `Ulema

and Administration of Scholarly Research and Ifta'

236- Ramadan is the best time to perform 'Umrah

Q: Does performing 'Umrah (lesser pilgrimage) during the months of Hajj have any particular virtue different from performing it in other months?

A: The best month to perform 'Umrah is during Ramadan, for the Prophet (peace be upon him) said: ('Umrah (performed) in Ramadan is equal to Hajj (in reward).) (Agreed upon its authenticity by Imams Al-Bukhari and Muslim) According to another narration by Al-Bukhari: (It is equivalent to performing Hajj with me.) According to the narration by Muslim: (It is equivalent to Hajj or Hajj performed with me (in reward).) This means that it is equivalent to Hajj or (indicative of uncertainty on the part of the Hadith narrator) equivalent to Hajj performed with the Prophet (peace be upon him). Then, comes the 'Umrah in Dhul-Qa'dah, for all the 'Umrahs which the Prophet (peace be upon him) performed took place in Dhul-Qa'dah. Allah (Glorified be He) says: (Indeed, in the Messenger of Allâh (Muhammad peace be upon him) you have a good example to follow)

May Allah grant us success!

237. repetition of 'Umrah in ramadan

Q: Is it permissible to repeat 'Umrah in Ramadan seeking the reward for it?

A: There is nothing wrong with that. The Prophet (peace be upon him) said, ("'Umrah to 'Umrah is a Kaffarah (expiation) for what is between them. And the reward for Hajj Mabrur (Hajj sincerely done, not mixed with any sin, and is accepted by Allah) is nothing other than Paradise.") (Agreed upon by Al-Bukhari and Muslim)

There is, therefore, no wrong in performing 'Umrah three or four times, because 'Aishah (may Allah be pleased with her) performed two 'Umrahs during the lifetime of the Prophet (peace be upon him) during the Farewell Hajj, within less than twenty days.

Q: I entered Makkah in Ihram (ritual state for Hajj and 'Umrah) during Ramadan and performed 'Umrah. I had also performed Hajj that same year - by the Will and Bounty of Allah. Should I perform another 'Umrah?

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What is ruling on that?

A: It is not obligatory on you to perform another 'Umrah (lesser pilgrimage) as you performed it during the best time, in Ramadan, and your Hajj in this case was an Ifrad Hajj (performing Hajj only). That is because 'Umrah is only obligatory once in a lifetime, like Hajj. If they are performed more than this, they will be voluntary acts of 'Ibadah (worship).

238- 'Umrah of the Messenger in Rajab

Q: Is it correct that the Prophet (peace be upon him) performed 'Umrah in the month of Rajab?

A: The widely known opinion of the scholars is that the Messenger of Allah (peace be upon him) did not perform 'Umrah in the month of Rajab, but that all his 'Umrahs were performed in Dhul-Qa'dah. Nevertheless, it was authentically reported from Ibn 'Umar (may Allah be pleased with them both) that the Prophet (peace be upon him) performed 'Umrah in Rajab, yet 'Aishah (may Allah be pleased with her) said that he was mistaken in that. She added that the Prophet (peace be upon him) did not perform 'Umrah in Rajab. The rule followed in Usul-ul-Fiqh (principles of Islamic jurisprudence) is that an affirmative report takes precedence over a negating one. Perhaps 'Aishah and those who agree with her opinion did not memorize what Ibn 'Umar memorized. With Allah is the success!

239. Ruling on cutting the hair after 'Umrah

Q: What is the ruling on cutting the hair after 'Umrah? Does this mean all the hair or is it sufficient to cut just a part of it?

A: All the hair should be cut after 'Umrah or Hajj, in the same way as it is all shaved. The hair ends are cut until all the hair on the head is cut. It does not mean cutting hair by hair; rather, the hair cutting must include the whole surface of the head and that will be sufficient. To cut all the hair in the same way as it is all shaved, and this is the obligatory form of cutting.

240. Ruling on wearing Makhit after six rounds of Sa'y due to ignorance of the ruling

Q: A man came from Riyadh and assumed Ihram (ritual state for Hajj and 'Umrah) at the Miqat (site for entering the ritual state for Hajj and 'Umrah) for 'Umrah (lesser pilgrimage). He only performed six rounds of Sa'y (going between Safa and Marwah during 'Umrah) due to ignorance, and then cut his hair, put on Makhit (clothes sewn to fit body limbs), and left for Jeddah. What is he obliged to do now?

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If this man returns to Makkah with the intention of performing a new 'Umrah instead of the previous one, in which he did not complete the Sa'y, what should he do?

What is he obliged to do now for the 'Umrah in which he put Makhit on before completing the Sa'y?

A: The man in question should return to Makkah to complete his Sa'y, and then cut his hair again. It is preferable and safer for him to repeat the whole Sa'y, after taking off his Makhit and wearing the garments for Ihram. He does not have to do anything, due to his ignorance of the ruling, and the same applies to someone who forgets. Allah (may He be Praised) says in the Glorious Qur'an: (Our Lord! Punish us not if we forget or fall into error) It was authentically narrated that, (The Messenger of Allah (peace be upon him) reported, in the interpretation of this Ayah, that Allah (may He be Exalted) said, "I did.") With Allah is the success! May peace and blessings of Allah be upon our Prophet Muhammad and his family!

241. Ruling on someone who becomes tired before finishing the Tawaf

Q: A woman who was ill went on 'Umrah (lesser pilgrimage) and, when she was performing Tawaf (circumambulation around the Ka'bah), she began to feel dizzy in the third round.

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What was she obligated to do?

A: She should rest, and then complete her Tawaf. If the interval is long, she should repeat the Tawaf from the beginning. However, if dizziness is mild and only lasts for a short time, it would be sufficient for her to complete her Tawaf and all praise is for Allah!

242. Ruling on forgetting to shave or cut the hair during 'Umrah

Q: What is the ruling on a pilgrim who forgets to shave or cut his hair during 'Umrah (lesser pilgrimage) and only remembers this after he has put on Makhit (clothes sewn to fit body limbs)?

A: A pilgrim performing 'Umarh who forgets to shave or cut his hair, and so he performs Tawaf (circumambulation around the Ka'bah) and Sa'y (going between Safa and Marwah during Hajj and 'Umrah) and puts on his Makhit before shaving or cutting his hair, should take his Makhit off when he remembers, and shave or cut his hair, and then put his clothes on again. If he cuts or shaves his hair while wearing his Makhit due to ignorance or forgetfulness, he is required to do nothing in compensation; it will count as sufficient and he does not need to cut or shave his hair again. However, once he realizes that it becomes obligatory on him to remove his Makhit in order to shave or cut his hair while he is a Muhrim (pilgrim in the ritual state for Hajj and 'Umrah).

Q: A woman performed 'Umrah (lesser pilgrimage) and, two days later, she remembered that she had forgotten to trim her hair. What should she do?

A: If a Muslim forgets to cut their hair after performing Tawaf (circumambulation around the Ka'bah) and Sa'y (going between Safa and Marwah during Hajj and 'Umrah) when performing 'Umrah, they should cut it when they remember, whether they are in their country or elsewhere.

Q: What is the ruling on a pilgrim who puts on Makhit (clothes sewn to fit body limbs) before shaving or cutting their hair during 'Umrah (lesser pilgrimage) due to forgetfulness?

A: If a pilgrim puts Makhit on forgetfully, before cutting his hair, he should take it off when he remembers, and then shave or cut his hair. He will not have to do anything else in compensation, as Allah (may He be Praised) says: ﴾Our Lord! Punish us not if we forget or fall into error﴿

Q: I performed 'Umrah (lesser pilgrimage) with my wife, and when we had finished performing the Sa'y (going between Safa and Marwah during Hajj), I had my head shaved, but my wife did not trim her hair due to forgetfulness. We left Makkah and returned to our country, where my wife and I had conjugal intercourse. What is the ruling on our 'Umrah? May Allah reward you with the best!

A: Your 'Umrah is valid - In sha'a-Allah (if Allah wills) - and your wife does not have to do anything in compensation, so long as she forgot it.

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However, she should trim her hair as soon as she remembers about this. All praise is to Allah.

243. Ruling on a woman taking menstruation prevention pills to perform 'Umrah

Q: The questioner says: I am a woman and I took medication to prevent menstruation while I was in Kuwait, and experienced a severe pain, so I stopped taking the tablets. Four days later - last Monday - my period started and lasted throughout Tuesday and Wednesday. We left Kuwait in the morning of the third day of my period. While we were on the way, at about 8:30 p.m., I took two more of the same tablets, knowing that they took effect within 24 hours. We reached the Miqat (site for entering the ritual state for Hajj and 'Umrah) at 2:00 a.m. on Thursday; about five-and-a-half hours after taking the tablets. The bleeding stopped from the time I arrived at the Miqat, so I assumed Ihram (ritual state for Hajj and 'Umrah) and proceeded to the Haram (the Sacred Mosque in Makkah). However, I was doubtful about my condition, as I had not checked whether the bleeding had stopped or not. So, minutes before I entered the Haram, I went to the bathroom and did not see any blood. So I performed 'Umrah. But when I went to my lodgings, there was a little blood, and this has made me uncertain as to whether my 'Umrah was valid.

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May Allah reward you with the best!

A: From 'Abdul-'Aziz ibn 'Abdullah ibn Baz to the respected sister in Islam, S. S.; may Allah guide her to what pleases Him!

As-salamu 'alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

I understood the question that you clarified in your letter, and I would like to inform you that your 'Umrah is valid - all praise be to Allah - if the reality was as you mentioned. May Allah accept from you, us, and all Muslims! As-salamu 'alaykum warahmatullah wabarakatuh!

General Mufty of the Kingdom of Saudi Arabia

Q: What is the ruling on a man who only shaved some hair from the front of his head during 'Umrah (lesser pilgrimage)? What is he obligated to do?

A: It is obligatory on a pilgrim to shave all his hair, so he should make Tawbah (repentance to Allah) for what is past and done.

Q: After I finish my 'Umrah (lesser pilgrimage), will it be permissible for me to perform 'Umrah on behalf of my relatives? My 'Umrah was not during the time of Hajj. Where should I assume my Ihram (ritual state for Hajj and 'Umrah) to do this?

A: I do not know of any Shar'y (Islamic legal) prohibitive impediment against your performing 'Umrah on behalf of your relatives after performing the 'Umrah that is obligatory on you first, regardless of whether it is done during the time of Hajj or not. the Miqat (site for entering the ritual state for Hajj and 'Umrah) for those who are in the Haram (all areas within the Sacred Sanctuary of Makkah) is Al-Hil (all areas outside the Sacred Sanctuary of Makkah), such as Al-Tan'im, Al-Ji'ranah, and their like. This is because when the Prophet (peace be upon him) told 'Aishah to perform 'Umrah, he told her brother 'Abdul-Rahman to take her to assume Ihram for 'Umrah from outside the Haram.

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From 'Abdul-'Aziz ibn 'Abdullah ibn Baz **to the respected brother A. T. A., may Allah guide him to what pleases Him! Amen!**

As-salamu 'alaykum warahmatullah wabarakatuh (May Allah's Peace, Mercy, and Blessings be upon you!)

We received your letter describing your father's desire to perform 'Umrah on Mawlid (the prophet's birthday) and your request for us to help him with this.

We thank you for your concern for your father and we would like to draw your attention to a very important point, which is that celebrating birthdays is not lawful, as there is no basis for it reported from the Prophet (peace be upon him) or his Sahabah (Companions, may Allah be pleased with them). Performing 'Umrah at the time of Mawlid is not prescribed, but it is permissible at any time of the year without seeking out the time of Mawlid to perform it in. The best time for performing 'Umrah is Ramadan, as the Prophet (peace be upon him) said, ("'Umrah in Ramadan is equivalent to Hajj (in reward).") (Agreed upon by Al-Bukhari and Muslim as Sahih [a Hadith that has been transmitted by people known for their uprightness and exactitude; free from eccentricity and blemish]) 'Umrah is obligatory only once during a lifetime, like Hajj.

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We ask Allah to guide you, us, and all Muslims to success in what pleases Him, and to good intentions and deeds. As-salamu 'alaykum warahmatullah wabarakatuh!

244. Ruling on tawaf-ul-Wada' during 'Umrah

Q: Is Tawaf-ul-Wada' (circumambulation around the Ka'bah on leaving Makkah) obligatory in 'Umrah (lesser pilgrimage)? Is it permissible for a pilgrim to buy items from Makkah after Tawaf-ul-Wada', whether for Hajj or 'Umrah?

A: Tawaf-ul-Wada' is not Wajib (obligatory) during 'Umrah, but it is preferred to do it. However if a pilgrim performing 'Umrah leaves without performing Tawaf-ul-Wada', this is not a problem, but it is Wajib during Hajj, because the Prophet (peace be upon him) said, ("None of you should leave (Makkah) until the last thing they do is to circumambulate the House (Ka'bah).") This was said during an address to the pilgrims performing Hajj.

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A pilgrim is allowed to buy anything that they need after Tawaf-ul-Wada', even if they are buying it for the purpose of trade, as long as it only takes a short time. If it takes a long time, they should repeat the Tawaf again; if it is not long, as is customarily deemed, they do not have to repeat it.

Peace and blessings be upon our Prophet Muhammad, and his family and Companions!

End of volume no. 17

The following is volume no. 18

Starting with the chapter on

Missing Hajj and Ihsar